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FEDERAL SUBSISTENCE BOARD  
RURAL DETERMINATION PROCESS PUBLIC COMMENT  
BEFORE HEARING OFFICER  
TOM KRON

Best Western Kodiak Inn  
Kodiak, Alaska  
September 24, 2013  
7:15 o'clock p.m.

Presenter: Carl Johnson, Facilitator  
Office of Subsistence Management  
Bud Cribley, Bureau of Land Management  
Federal Subsistence Board Member

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1 P R O C E E D I N G S

2

3

4 (Kodiak, Alaska - 9/24/2013)

5

6

7

8

9 MR. KRON: Ladies and gentlemen. We're  
10 going to go ahead and start. Everybody who got here by  
11 7:00 needs to be patted on the back.

12

13 First off, I would like to acknowledge  
14 and recognize a lot of our distinguished guests that have  
15 come tonight. And if I miss your name, I apologize.  
16 Melissa Borton, CEO for the Native Village of Afognak.  
17 Pam Bumsted, the Sun'aq Environmental representative.  
18 Brenda Schwantes, Sun'aq -- I think I've got former  
19 chair. And, again, I'm going to mess some of this up.  
20 I'll try to make it as straight as I can.

21

22 UNIDENTIFIED VOICE: Sun'aq.

23

24 MR. KRON: Sun'aq. Brenda Schwantes,  
25 Sun'aq. Okay. Bob Polasky, CEO for Sun'aq. Johnny  
26 Reft, vice chair, Sun'aq. Okay. It's obvious I'm not  
27 getting all this right. Margaret Roberts, Woody Island  
28 Tribal. Tom Panamanof, Koniag Native Corporation. Pat  
29 Bronson -- wait a minute, I don't think Pat's here.  
30 We've got more people coming in the door. And Buddy  
31 Cassidy, the Borough mayor. And Mr. and Mrs. Teno (ph).

32

33

34 And, again, I'm sure I missed some  
35 distinguished guests, but that's a start.

36

37 Also I want to recognize Mr. Bud Cribley,  
38 regional director for the Bureau of Land Management. And  
39 do you want to say something?

40

41 MR. CRIBLEY: Well, okay, real quick. I  
42 just wanted to thank everybody for coming in tonight for  
43 this hearing.

44

45 I'm a member -- well, let me start over  
46 again. I'm the state director for the Bureau of Land  
47 Management, and I'm a member of the Federal Subsistence  
48 Board. And that Board is the governing body for Federal  
49 subsistence in Alaska, and the one who has the job of  
50 addressing this issue of rural determination, and how we  
determine who's qualified, not qualified to participate

1 in the Federal subsistence program in Alaska. This is  
2 probably one of the more important responsibilities that  
3 we have at this moment. And all of us on the Board take  
4 this very seriously. The determination or the decision  
5 to move forward with doing this review and looking and  
6 seeking comments from the public on how we should be or  
7 what rules we should be following to establish rural  
8 determination is very important to all of the residents  
9 in Alaska.

10

11 And I'm hoping -- I feel very lucky to  
12 have been able to come down to Kodiak to participate in  
13 this hearing, because I think in a lot of the areas,  
14 rural areas in Alaska, this issue is not as big as it is  
15 down here, particularly in the southern part of the  
16 state. And by participating in this and listening to  
17 what you have to say, is going to be very meaningful and  
18 helpful to me and the other Board members as we move  
19 forward to determine if we use the same formula we've  
20 used in the past, or if we use different factors than  
21 what we -- or and look at rural determination than it has  
22 been in the past.

23

24 Federal subsistence is changing. ANILCA  
25 was passed back in the early 80s, and subsistence and the  
26 population, the dynamics, and the whole economics of  
27 Alaska has changed, and the people of Alaska and how they  
28 live in Alaska has changed. And those are things that we  
29 need to take into consideration as we're looking at how  
30 we look at rural determination.

31

32 So we're looking for ideas here, you  
33 folks' thoughts. You're the ones who live this and  
34 understand it. And we're looking for ideas to help us  
35 out so that we can make a fair rule -- or develop a fair  
36 rule that's fair to everybody here in Alaska.

37

38 So thank you for coming down. Thank you  
39 for getting in front of us and getting in front of the  
40 crowd and making a statement. It's very important to us  
41 and also to yourselves and everybody in Alaska. So thank  
42 you.

43

44 MR. KRON: I wanted to thank you all as  
45 well. And I've been trying to get a count as you walked  
46 in the door. I think we have 50 people plus. There are  
47 still more people coming in the door, but a very good  
48 showing here in Kodiak.

49

50 This is an opportunity for you to provide

1 input to the Federal Subsistence Board rural  
2 determination process. The Board is accepting comments  
3 through November 1st, 2013, so this coming November 1st.  
4 Tonight will be an opportunity for you to provide oral or  
5 written comments.

6  
7 My name is Tom Kron. I'm the chief of  
8 Information Resources and Administration for the Office  
9 of Subsistence Management with the Fish and Wildlife  
10 Service here in Alaska. Tonight I'm here serving as your  
11 hearing officer. So my job is to make sure that everyone  
12 here who would like to make oral or written comments on  
13 the rural determination process is able to do so. The  
14 meeting has been scheduled to last until about 9:00  
15 o'clock tonight in order to receive your comments.

16  
17 We have with us tonight our court  
18 recorder, Meredith, and she will be recording your  
19 comments for the Federal Subsistence Board so they can  
20 read them later.

21  
22 During the comment portion of the  
23 meeting, we will not be answering any questions. Bud and  
24 I will sit here and listen. We want to listen and learn.  
25 And again the Board members will have an opportunity to  
26 look at your comments, to read your comments, to study  
27 them, to think about this issue.

28  
29 There are a number of other hearing  
30 locations around the state. I think as many of you know,  
31 there are 10 Regional Advisory Councils in Alaska. There  
32 will also be hearings in Sitka and Anchorage and probably  
33 other locations as well. But there's information on the  
34 back table that talks about that.

35  
36 Because of the importance of your  
37 comments, it is necessary that we follow certain  
38 procedures starting the meeting. As you entered the  
39 meeting room, you were asked to sign in, and again it's  
40 real important to us to make sure that Meredith is able  
41 to get the spelling correct on everybody's name as they  
42 testify. If you plan to make oral comments tonight,  
43 please fill out our speaker card. And it's the green  
44 one; they were on the table there as you came in. So if  
45 you'd like to testify, please fill one of those out. And  
46 again the purpose is to make sure that we understand  
47 people's affiliation and that we get the names correct on  
48 the record.

49  
50 If you are attending this meeting or

1 submitting comments on behalf of a group or organization,  
2 please indicate the name of the group or entity that you  
3 represent.

4  
5 Let me emphasize the principle purpose of  
6 the public hearing part of this meeting is to receive  
7 information and comments from you on the record. Please  
8 limit your comments to I think again based on the number  
9 of cards I've got so far, I think probably five to six  
10 minutes or so. We want to make sure everybody has a  
11 chance to provide their comments.

12  
13 And, again, basically people are free to  
14 provide written comments later. And, again, if you do  
15 so, make sure that we get them by November 1st, this  
16 coming November 1st, November 1st, 2013. Okay.

17  
18 And, Carl. Carl Johnson is going to  
19 provide a short overview of the process and some  
20 information for you, and he has a slide show.

21  
22 MR. JOHNSON: Camai. Good evening. My  
23 name is Carl Johnson. I'm with the Office of Subsistence  
24 Management, which is part of the Federal Subsistence  
25 Management Program.

26  
27 The Federal Subsistence Management  
28 Program consists of five federal agencies: The National  
29 Park Service, Bureau of Land Management, Bureau of Indian  
30 Affairs, Forest Service, and U.S. Fish and Wildlife  
31 Service. Board members include the heads of those  
32 agencies in Alaska, two rural members, and also a  
33 subsistence user who is the Chair.

34  
35 The Federal Subsistence Management  
36 Program as has already been mentioned is responsible for  
37 managing fish and wildlife on all Federal public lands in  
38 Alaska, and under Title VIII of ANILCA with a goal of  
39 providing subsistence opportunity for rural Federal users  
40 in Alaska.

41  
42 For those of you who are on the  
43 teleconference call, the materials that I will be  
44 discussing, particularly this PowerPoint presentation,  
45 can be found on our website, and this is also a good  
46 resource for all of you here, if you want to get some of  
47 these materials for later. [www.doi.gov/subsistence](http://www.doi.gov/subsistence). And  
48 on that home page for the Federal program you're going to  
49 see several links. There are about three or four  
50 different links that will take you to the rural

1 determination materials, so just look around and you'll  
2 see them there on the home page.

3  
4                   Okay, Tom, if you could have us go dark.  
5 Thank you. This will just be to -- that's it? Okay.  
6 Pardon me for just a sec. Dark so you can see the  
7 screen, but not so dark that you're not able to take  
8 notes.

9  
10                   Okay. First of all, just kind of a quick  
11 overview. I'm here to explain the review of the rural  
12 determination process, and how all of you can be part of  
13 that process. In order to do that, I'm going to give you  
14 the actions that brought us here today, and we're looking  
15 to improve the way that the rural and non-rural  
16 determinations are made.

17  
18                   I'm going to give you some background on  
19 the Federal rural determination process, now the process  
20 currently works, and the criteria that are used to  
21 determine an area's rural or non-rural status. All of  
22 the information and steps are available to you, and I'll  
23 let you know where you can find those resources and how  
24 you can provide your own ideas and those from your  
25 community to improve this process.

26  
27                   First, why we're here. In December of  
28 2010, the Secretaries of the Interior and Agriculture  
29 directed the Federal Subsistence Board to conduct a  
30 review of the process that is used in making rural and  
31 non-rural determinations to see if the methods being used  
32 are still relevant and current. The Federal Subsistence  
33 Board is seeking recommendations from the Regional  
34 Advisory Councils, from the public, tribal, and ANCSA  
35 corporation consultations. The Federal Subsistence Board  
36 may develop recommendations for improving this process  
37 based on all the comments received during this period.  
38 These recommendations would then go to the Secretaries of  
39 the Interior and Agriculture.

40  
41                   First a little bit about the legal  
42 framework that guides the Federal Subsistence Board on  
43 its rural determination process. Title VIII of ANILCA,  
44 that's the Alaska National Interest Lands Conservation  
45 Act, is the Federal legislation that provides the  
46 subsistence priority for all rural Alaskans to harvest  
47 fish and wildlife on Federal public lands. Only those  
48 residents of rural communities are eligible for the  
49 subsistence priority on Federal public lands and you can  
50 see on the green areas of this map the extent of those

1 Federal public lands.

2

3 Now, Senate Report No. 96-413 which  
4 comments on Title VIII, so that would have been a Senate  
5 report that was generated at the time that Title VIII was  
6 passed, provides examples of cities that are excluded  
7 from rural status. Those are specifically mentioned as  
8 Ketchikan, Juneau, Fairbanks, and Anchorage. Examples of  
9 communities that are rural are also provided. The report  
10 states Dillingham, Bethel, Nome, Kotzebue, Barrow and  
11 other Native and non-Native villages scattered throughout  
12 the state.

13

14 Another aspect of the legal framework  
15 that guides the Federal Subsistence Board was a decision  
16 by the Ninth Circuit Court of Appeals. So that's et  
17 Federal court of appeals that governs Alaska. That court  
18 decision determined that rural, the term rural, refers to  
19 a sparsely populated area, and is not primarily about  
20 subsistence lifestyle or an areas use of fish and  
21 wildlife resources. The court noted that Congress did  
22 not limit the benefits of ANILCA to residents of areas  
23 dominated by a subsistence economy. Instead the court  
24 wrote broadly, stating that the statutory priority to all  
25 subsistence users resides -- applies to all subsistence  
26 users residing in rural areas. So the focus is on what  
27 is rural, not necessarily what they're relying on for  
28 subsistence use in that area.

29

30 And as you can see from this slide, most  
31 of Alaska is considered rural.

32

33 And here are just some numbers for your  
34 benefit from the population 2000 census. And it just  
35 basically shows the relative populations of various  
36 areas, various cities and the rural areas as of 2000.  
37 And you'll notice, too, that this particular graph  
38 indicates areas, it doesn't break down by individual  
39 communities. So, for example, it says Kodiak area; it's  
40 not just the town of Kodiak.

41

42 And I'll quickly go over -- well, not  
43 quickly, but I'm going to go over here, these four  
44 upcoming -- five upcoming criteria that the Federal  
45 Subsistence Board currently uses.

46

47 And the first one is what's called  
48 grouping or aggregation of communities, so combining  
49 communities together. The Board recognizes that  
50 communities and areas of Alaska are connected in diverse

1 ways. Our regulations require that communities which are  
2 economically, socially, and communally integrated be  
3 considered in the aggregate, or grouped together, in  
4 determining population for purposes of the rural or non-  
5 rural status.

6

7 The grouping criteria used by the Board  
8 are the following. One, do 30 percent or more of the  
9 working people commute from one community to another?

10

11 Two, do they share a common high school  
12 attendance area?

13

14 And, three, are the communities in  
15 proximity and road accessible to one another? So can you  
16 get back and forth on the road system, and are these  
17 communities near to one another, not like, for example,  
18 Fairbanks and Wiseman. They're connected on the road  
19 system, but they're nowhere near each other.

20

21 So for this set of criteria, these  
22 grouping or aggregation criteria, the Board asks you a  
23 couple of questions. First, are these grouping criteria  
24 useful for determining whether or not a community is  
25 rural or non-rural? Then, if they're not, please provide  
26 ideas on how to better indicate how communities are  
27 integrated for the purposes of determining rural or non-  
28 rural status.

29

30 And you're going to see this pattern  
31 repeating throughout the presentation. What are the  
32 current criteria being used. Question, do you think they  
33 work? And if you don't think they work, can you provide  
34 some examples on what does work, what does make sense  
35 when you're determining what is a rural or non-rural  
36 community.

37

38 So that leads us next to the population  
39 threshold. Now, currently the Federal Subsistence Board  
40 uses several guidelines to determine whether or not a  
41 specific area of Alaska is rural. One guideline sets  
42 population thresholds after those communities are grouped  
43 together. So after we've done that aggregation or  
44 grouping that we talked about in the last set of slides,  
45 now once we've got what the total -- what communities  
46 group together, now they have to look at what the  
47 population is of that aggregated or grouped area.

48

49 A community or area with a population  
50 below 2,500 people is presumed rural. That means we're



1 just going to make an assumption that it's rural unless  
2 there are indications otherwise, and I'll get to that in  
3 the next series of slides.

4

5 Now, a community or area with a  
6 population between 2,500 and 7,000 is neither presumed  
7 rural or presumed non-rural. There are no assumptions  
8 made. And again the next set of criteria becomes more  
9 relevant in determining whether or not those communities  
10 are rural or non-rural.

11

12 And then, finally, any community or area  
13 that is over 7,000 will be presumed non-rural. Now,  
14 again it's just a presumption. It's not a cut and dry  
15 hard line decision. There can be other factors that  
16 could weigh in as to whether or not the community is  
17 rural, but there's a presumption it will be non-rural.  
18 And again those next factors will be really relevant in  
19 determining its rural or non-rural status.

20

21 And again the Board asks two questions of  
22 you. First, are these population threshold guidelines  
23 useful for determining whether or not a specific area of  
24 Alaska is rural. If they are not, please provide  
25 population sizes to distinguish between rural and non-  
26 rural areas and the reasons for the population size you  
27 believe more accurately reflects rural and non-rural  
28 areas in Alaska.

29

30 Okay. Now rural characteristics. This  
31 gets into that presumed rural, presumed non-rural issue  
32 I was mentioning the last series of slides.

33

34 The Board recognizes that population  
35 alone is not the only indicator of rural or non-rural  
36 status. Other characteristics the Board considers  
37 include, but are not limited to, the use of fish and  
38 wildlife, the development and diversity of the economy,  
39 community infrastructure, transportation available, and  
40 the types of educational institutions available to the  
41 community.

42

43 And again the Board asks you, are these  
44 rural characteristics useful for determining whether or  
45 not a specific area of Alaska is rural. If not, please  
46 provide a list of characteristics that better define  
47 rural and non-rural status.

48

49 And I understand there have been a lot of  
50 discussions here in your community, among your

1 communities, and there have been a lot of thought put  
2 into some points that go into this issue, so I know the  
3 Board really looks forward to hearing your own  
4 suggestions on this.

5  
6 Now, the other two relevant issues to  
7 consider as far as the rural determination process go are  
8 the timeline, how often the Board does this, and then the  
9 information sources.

10  
11 The Board performs its review based on a  
12 10-year census cycle, and uses information from the  
13 census for a snapshot of the communities. Current  
14 regulations state that the population data from the most  
15 recent census conducted by the U.S. Census Bureau, as  
16 updated by the Alaska Department of Labor, shall be used  
17 in the rural determination process.

18  
19 And that gets into the other issue, you  
20 know, the information sources. The information collected  
21 and the reports generated from the census vary between  
22 each census cycle, and because of that, data used during  
23 the Board's rural determination may vary. And, in fact,  
24 some of the information that the Board used in past rural  
25 determination processes is no longer even used by the  
26 United States Census Bureau.

27  
28 So that leads us to the next question.  
29 Should the Board review rural determinations on a 10-year  
30 cycle? If not, why not? Do you have any other  
31 suggestions?

32  
33 And then next, the information sources as  
34 stated in the regulations will continue to be the  
35 foundation of data used for rural determinations, but do  
36 you have any additional sources that you think would be  
37 beneficial for the Board to use. Is there more than just  
38 the Census Bureau and the Alaska Department of Labor  
39 statistics that would be good information sources when  
40 we're determining what area is rural or how we count  
41 population.

42  
43 And then an open-ended question. These  
44 are just the five criteria the Board currently uses, but  
45 perhaps there's something outside of that box that will  
46 be useful. So do you have any additional comments on how  
47 to make the rural determination process more effective?  
48 What other criteria or factors has the Board not been  
49 using that you think would be beneficial and would make  
50 sense in determining what areas are rural or non-rural.

1                   So I gave you the short version of the  
2 website earlier. This is a direct link, if you want to  
3 write all that down, but in all reality if you go to  
4 doi.gov/subsistence, you'll get to the home page for the  
5 Federal Subsistence Management Program, and there will be  
6 several links that will direct you to the rural  
7 determination.

8  
9                   You can also ask more questions. You can  
10 send your comments via email to subsistence@fws.gov, and  
11 you could also call. We have a toll-free number. It's  
12 1-800-478-1456. And I will offer myself as a specific  
13 person you can ask for if you call that line, Carl  
14 Johnson. And other people who serve, who have been  
15 involved in this rural determination process review are  
16 our Native liaison, Jack Lorrigan. He could also be  
17 somebody you could ask for.

18  
19                   Now, here specifically is how you could  
20 provide comments. This is one opportunity right here.  
21 Now, just because you're physically here tonight doesn't  
22 mean you absolutely have to speak before the microphone.  
23 I know some people are a little nervous about being on a  
24 mic and speaking in front of audiences, so you can hand  
25 your written comments, if you have any, you can hand them  
26 directly to me. You can hand them to Tom Kron, the  
27 hearing officer. And we will make sure that those get  
28 delivered to the Federal Subsistence Program where they  
29 need to go.

30  
31                   You can provide oral testimony here  
32 tonight, but also I'll let you know that the  
33 Kodiak/Aleutians Regional Advisory Council continues its  
34 meeting tomorrow during the day, and, in fact, will take  
35 up this issue first thing in the morning, and you can  
36 provide comments to the Council directly as well. The  
37 difference is tonight you're talking directly to the  
38 Federal Subsistence Board. Tomorrow you're talking to  
39 the Council, and then the Council will take into account  
40 whatever you say when it comes up with its own  
41 recommendations. So here tonight it's more of a direct  
42 line to the Board, but for tomorrow, for those of you who  
43 are involved in your RAC process, then it's a chance for  
44 you to talk to them as well.

45  
46                   And like I mentioned previously, you can  
47 submit any written comments between now and November 1st  
48 to the email address subsistence@fws.gov. There is the  
49 address right there if you want to mail something in. Of  
50 if you're in Anchorage on business, feel free to walk on

1 by to the Region 7 headquarters for U.S. Fish and  
2 Wildlife Service and hand deliver written comment there.  
3 And at any of the Board hearings, like now, or the  
4 Regional Advisory Council meeting tomorrow, you can hand  
5 deliver -- well, for tomorrow you can hand deliver it to  
6 me, because I'm the Council coordinator, what they call  
7 a designated Federal officer or official for these types  
8 of meetings.

9

10 Thank you all for your rapt attention I  
11 might say. Now, I'm going to offer the floor now, if  
12 there's anybody who has any questions about this  
13 presentation. And I want to make sure there's a  
14 distinction between questions about the presentation  
15 versus what you might want to say as testimony about the  
16 rural determination process. That will come next when I  
17 hand the meeting back over to Tom.

18

19 So does anybody have any questions just  
20 about this information that I presented in the  
21 PowerPoint.

22

23 UNIDENTIFIED VOICE: I have a question.

24

25 MR. JOHNSON: Sure.

26

27 UNIDENTIFIED VOICE: So what subsistence  
28 fisheries are we talking? Are we talking about the  
29 Federal halibut thing? Are we talking about salmon  
30 gillnetting? What other kind of Federal things does this  
31 involve?

32

33 MR. JOHNSON: That is a very excellent  
34 question. There are several different aspects of Federal  
35 jurisdiction that deal with subsistence issues like  
36 halibut or migratory birds or marine mammals that are not  
37 part of the Federal Subsistence Management Program.  
38 So.....

39

40 (Extraneous conversation on  
41 teleconference)

42

43 UNIDENTIFIED VOICE: Hi, hit the gavel.

44

45 (Laughter)

46

47 MR. JOHNSON: Okay. Thank you very much.

48

49

50 So those are not part of the Federal

1 Subsistence Management Program. When we're talking about  
2 the Federal Subsistence Management Program, we are  
3 talking about Federal waters within the Federal public  
4 lands whether it might be fisheries regulations in place  
5 like on particular streams and waterways inland. When  
6 we're talking about coastal, out in the open ocean  
7 Federal waters, those are governed by a different  
8 program, different agencies. Hopefully that.....

9

10 UNIDENTIFIED VOICE: No, it didn't answer  
11 the question. How is it going to affect me gillnetting  
12 at the Pasagshak or the Buskin for salmon?

13

14 MR. JOHNSON: Okay. I'm going to ask  
15 that anybody from the Kodiak Refuge who might be present  
16 answer that question.

17

18 REPORTER: You'll need to come up to the  
19 microphone, otherwise you guys are not going to get  
20 recorded.

21

22 MR. PYLE: Bill Pyle, Kodiak National  
23 Wildlife Refuge.

24

25 To your question, it would affect the  
26 Buskin River, the area just immediately offshore of the  
27 Buskin River, because that's an area where the Fish and  
28 Wildlife Service owns submerged lands in that vicinity.  
29 It would not affect the Pasagshak, because those are  
30 State waters.

31

32 In a similar context, there's a couple  
33 other areas of Federal submerged land jurisdiction. The  
34 area surrounding Afognak Island out to a mile or so. I  
35 don't have the specifics of that, but it in fact includes  
36 the area that is commonly fished by this community and  
37 Port Lions and Ouzinkie there, offshore of the Afognak  
38 River drainage.

39

40 There's another small area down in the  
41 vicinity of the Community of Karluk.

42

43 And those are the primary three areas of  
44 Federal water, marine water jurisdiction.

45

46 UNIDENTIFIED VOICE: And just to confirm.  
47 So this doesn't even include the shark card for halibut?  
48 You're not part of that?

49

50 MR. JOHNSON: That is correct. This does

1 not include that.

2

3 UNIDENTIFIED VOICE: I have a question  
4 for Mr. Pyle if he (Indiscernible - away from  
5 microphones).

6

7 MR. JOHNSON: Yes, sir.

8

9 UNIDENTIFIED VOICE: This is about the  
10 Federal subsistence for deer from January 1st to 30th and  
11 then our ability to get subsistence tags (Indiscernible -  
12 away from microphones) three deer and you get three more  
13 tags for each -- two more people in your family by  
14 hunting on the Refuge. Can you talk about that?

15

16 MR. PYLE: That's correct. The question  
17 was would the outcome of this determination process  
18 ultimately affect hunting of Sitka blacktail deer on  
19 Federal lands, Kodiak National Wildlife Refuge lands.  
20 Yes, it would.

21

22 UNIDENTIFIED VOICE: Thank you.

23

24 UNIDENTIFIED VOICE: Actually I've got a  
25 question for you. What about goats? That wouldn't  
26 affect the goats, for subsistence hunting goats?

27

28 MR. PYLE: No, it would not, because  
29 mountain goat are not a customary species that has been  
30 determined to be customary and traditional use under  
31 Federal subsistence regulations.

32

33 MR. JOHNSON: Okay. Thank you. And now  
34 any other questions? And for future questions, just to  
35 benefit the folks on the phone line, if you can come on  
36 down here to this microphone, ask your question, because  
37 that's really the only way they can hear what you folks  
38 in the audience are asking.

39

40 So any other questions.

41

42 (No comments)

43

44 REPORTER: Whoever's on the phone needs  
45 to put it on mute. Put their phone on mute.

46

47 MR. JOHNSON: Yeah. Okay. Before we now  
48 proceed with the public testimony part, I would like to  
49 ask that whoever is on the phone line please mute your  
50 phones until you are asked to speak up. You will have an

1 opportunity to provide any testimony you may want to  
2 give, and we will invite you at that time to provide  
3 testimony, but until then please mute your phones. And  
4 we will now proceed with the hearing part of this.

5  
6 Thank you very much.

7  
8 MR. KRON: Thank you, Carl. And again  
9 for the folks that are on the phone, what we will plan to  
10 do is to take public testimony here first for about an  
11 hour, and then I'll switch over and we will take public  
12 testimony from the phones, from the people that are on  
13 the phone.

14  
15 And I would ask that those that are on  
16 the phone please spell their name and tell their  
17 affiliation to us so we have that for the official court  
18 record. I have that information on the cards from those  
19 of you that are going to testify here in the room, so  
20 we're not going to ask for that level of detail.

21  
22 But when you come up to testify, plush on  
23 the silver button on the mic to talk, give us your full  
24 name, and again I've got your card. I'll give those to  
25 our court recorder so that she has them for the record.

26  
27 If you are affiliated with an  
28 organization or group, please say so. So that your  
29 comments are accurately captured, please speak clearly  
30 and into the microphone.

31  
32 If you are called to speak and choose not  
33 to speak, or provide short remarks, you may not cede your  
34 time to another speaker.

35  
36 The time is now 7:36, and I would like to  
37 open the public hearing section of this meeting. The  
38 first person I have to speak is one of our dignitary  
39 elders, Iver Malutin. Please come forward, Iver.

40  
41 And after Iver speaks, the next person is  
42 Kevin Brennan.

43  
44 MR. MALUTIN: Thank you very much. And  
45 I'm really thankful that I have the opportunity to speak  
46 here.

47  
48 And I heard what you said, so I want to  
49 wish Tim Towarak, my friend, a good day and happy sailing  
50 along with this problem that he's going to be facing.

1                   Anyway, I am with the Sun'ag Tribe. I  
2 was the chairman of the board, and now I'm just a council  
3 member. I was born in Kodiak in 1931. I've never left.  
4 My mother and dad were both born in Afognak, my dad in  
5 1890 and my mother in 1892.

6  
7                   So I just want to let you know that  
8 probably there's not that many people here can relate to  
9 what I'm going to say, and that's okay.

10  
11                   But what I want to say is that we are  
12 people of the sea, and we live off the sea, the land, and  
13 the air. We preserve it and conserve every single thing  
14 that we ever had just like your indigenous people did  
15 years ago. If your indigenous people didn't have common  
16 sense, you wouldn't even be here today. And that's all  
17 we have.

18  
19                   And most of us don't have a college  
20 degree. A lot do now, because we're really striving to  
21 get them there. And by the way the world is going, we  
22 had to get them there. So, yeah, we continue to get them  
23 educated. But we're trying to -- if we had more classes  
24 on common sense, we'd be way better off. The Exxon  
25 Valdez would have never been on the rocks if I was at the  
26 wheel.

27  
28                   Okay. Now, one of the questions that  
29 bothers me, and here I'm asking, if in fact we became  
30 urban, does that mean that I've been living here all my  
31 life and I can't get any more food from the sea and the  
32 land under the guardians that they get in the villages?  
33 Think about that.

34  
35                   I have a hard time reading my writing.

36  
37                   We are doing things today just like my  
38 parents did and my ancestors did thousands of years ago.  
39 I could take you to Afognak today and we could live there  
40 forever without ever coming to town. We could live off  
41 the land and the sea just like they did years ago. In  
42 1931 when we had a depression, Kodiak and the island of  
43 Kodiak, all the villages, didn't even know there was a  
44 depression, because we didn't have any money. We didn't  
45 need any money, and that's what the depression was mostly  
46 based on. We had food. Right out in the channel my  
47 daddy would go get fish and get ducks where St. Herman  
48 Harbor is. And we lived off the sea.

49  
50                   And the Alutiiq Museum did a study on



1 Buskin River, and 4500 years ago according to the Alutiig  
2 Museum, they were smoking and drying fish at the Buskin  
3 River. And then 1500 years ago they made their own nets.  
4 So that just goes to show you a little bit of the  
5 history.

6  
7 And I'm not going to get into the detail  
8 and try to answer any of them questions up there. I'm 82  
9 years old and I can't remember anything any more. If  
10 you're going to interview me, you've got to interview me  
11 about 10 or 20 times so I could tell you everything. And  
12 if you expect me to tell you everything tonight in five  
13 minutes, forget it.

14  
15 (Laughter)

16  
17 MR. MALUTIN: Okay. And our parents have  
18 taught us really, really well on how to live. And now  
19 we're being controlled by a bunch of people that have  
20 never been to Kodiak, and they come here for only one  
21 thing, called a dollar. According to a study that was  
22 done by I think the Alaska Department of Fish and Game,  
23 somebody could correct me if I'm wrong, 97 percent of all  
24 the food sources, the food from sea is commercial.  
25 Everything that is harvested is 97 percent is commercial,  
26 2 percent goes to the residents of Alaska, and half a  
27 percent or 1 percent, I'm not sure, goes to the Natives.  
28 So that's where we're at.

29  
30 That means politics is taking place.  
31 That means money is where the resources are. And they  
32 outnumber us so horribly bad that we don't stand really  
33 a chance any place in voting against a group like that.  
34 Politics takes place.

35  
36 But one of the things that Congress did  
37 provide for the Natives, when Alaska was purchased by the  
38 United States, they did give the Natives certain rights.  
39 And the tribal councils today are their own government,  
40 so that means that we do have a right. Like what we're  
41 doing here, our tribes could get together, all get  
42 together and unitize, and maybe we could do something  
43 else. I'm not sure we can, but I'm just saying there's  
44 a possibility with our governments. In Geneva they're  
45 talking about that.

46  
47 So I don't want to get into any details.  
48 I'm not a detail person. And I wrote a lot of notes, and  
49 I couldn't read them, because I know I don't have much  
50 time. I just have a little tiny book here, it's making

1 it bad when I'm reading.

2

3                   Again, for anyone to change our  
4 lifestyle, especially people that don't even know what  
5 our lifestyle is -- right in this room I'm hearing  
6 questions asked that there are people living in Kodiak  
7 that don't even know.

8

9                   And you are going to try to make a  
10 decision based on everybody's words. And my mother said,  
11 five fingers are a fact. And if you don't have all the  
12 facts together, then you have one hell of a time making  
13 a decision. Scientists cannot make a decision based on  
14 five fingers. They can't. They have to make a decision  
15 a little later on as time goes on, yes, they're right,  
16 or, no, they're wrong. The theory of relativity came in  
17 with Einstein. It changed the way of thinking of the  
18 scientists for years and years and years, because they  
19 only made a decision with four finger, not five.

20

21                   So those are the kinds of things that  
22 we're facing, and how do we cope with it? That's the  
23 question, how do we cope with it to give the few little  
24 people here that's lived their lifestyle for years and  
25 years and years. And the same thing that they need. I  
26 don't even hardly eat fruit and vegetables today.  
27 Hardly. We ate fish seven days a week. And a lot of  
28 people here can't do that. But if you go take a look --  
29 get your camera and walk around town and go to the  
30 freezers, and take pictures of the freezers of the  
31 people, and then you could see who's depending on what.  
32 And we're not trying to take nothing away from anybody in  
33 Kodiak. I want everybody here to have everything that we  
34 could give them; but because of the commercial influx,  
35 it's going to be hard for us to give everybody everything  
36 all the time. It is.

37

38                   So let me take one quick look here,  
39 because I don't want to talk any more. I know there's a  
40 lot of people. And you may think you can get out of here  
41 at 9:00 o'clock? I think common sense tells me  
42 different.

43

44                   (Laughter)

45

46                   MR. MALUTIN: I'm going to make this  
47 quicker than I thought. But I do want you to know that  
48 I am representing the tribe, because we all believe in  
49 this. And I'm one of the few people that was born and  
50 raised in Kodiak.

1                   And one of the things that you have to  
2 remember big time is if you in fact are going to work  
3 with the Native people, don't ask anybody from Ouzinkie,  
4 Karluk, Kodiak -- I mean, Afognak about Kodiak. Ask  
5 Kodiak people. And if you're going to want anything from  
6 the villages, ask the village. They are the  
7 professionals in their own village. They're all  
8 different and they're all right in everything they do.  
9 In our villages we put up fish different. We do all  
10 kinds of things different, and we're all right and it's  
11 all good.

12  
13                   So I'm just going to try to give you a  
14 little bit of information so you'll have a little bit of  
15 history, and I'll try to document everything and give you  
16 it in writing so you'll understand a little bit better  
17 now, because I am not a public speaker by no means.

18  
19                   And I appreciate your time here.

20  
21                   Thank you.

22  
23                   MR. KRON: Thank you, Mr. Malutin.

24  
25                   The next speaker is Kevin Brennan, and  
26 following him, Pat Holmes. Kevin.

27  
28                   REPORTER: You forgot your microphone.

29  
30                   MR. KRON: The next speaker is Kevin  
31 Brennan, and following him Pat Holmes.

32  
33                   And I will note that we have more than 60  
34 people in the room now.

35  
36                   Go ahead, Kevin.

37  
38                   MR. BRENNAN: Good evening, and thank you  
39 for having this meeting. I'm glad to see the attendance  
40 here from the crowd.

41  
42                   I do have to admit in front of God and  
43 everybody and all my friends here that I don't have all  
44 the answers. I wish I did have the answers to all these  
45 very difficult questions you're asking. Unfortunately,  
46 what you're probably going to hear from me and maybe from  
47 some others is identification of problems without so much  
48 as a very strong solution, but I do promise that  
49 following this I will take the time to try to write out  
50 those solutions, because it is a difficult issue.

1                   The hardest part I see about this is  
2 trying to regulate something of this nature. You have  
3 come up with a set of criteria that you used to try to  
4 box people or communities into specific definitions that  
5 again seem rather vague and capricious.

6  
7                   I don't agree with the population  
8 thresholds as they're set. I think that they should be  
9 much higher for rural communities.

10  
11                   The thing that was brought up about the  
12 Ninth Circuit Court of Appeals, it talks about a sparsely  
13 populated area. It doesn't have a number associated with  
14 it, does it? And what is that definition? What is an  
15 area?

16  
17                   My first -- or the biggest problem I have  
18 is how you may be aggregating these communities. It's  
19 unclear how you do that. You know, is it simply because  
20 they're located on a road system? If they're in  
21 proximity, how do you determine how far out the road you  
22 go? It must have been a horrible decisionmaking process  
23 for the areas around Anchorage, Homer, Mat-Su, those kind  
24 of areas.

25  
26                   This is also very divisive to the  
27 communities in a lot of ways. You're asking if we're  
28 economically, socially, and communally integrated.  
29 That's a part of a subsistence lifestyle, and it's one of  
30 the most beautiful things about living in Kodiak that  
31 I've found and why I've been here for over 30 years. We  
32 do have very strong connections to the villages. We do  
33 -- we have people that move back and forth from residence  
34 to residence, from their friends and families' homes in  
35 each of the areas. This is going to be more and more  
36 divisive if they try to restrict this type of  
37 determination more than it already is.

38  
39                   The timelines, is every 10 years an  
40 appropriate cycle? Well, I see what you're getting at  
41 with the Census Bureau, but, no, I don't think it's an  
42 appropriate time period. I think that once an area is  
43 considered rural, it's rural forever, unless there's some  
44 hugely overriding factor that would change that. So that  
45 would be my suggestion there.

46  
47                   As for the information source, I'm going  
48 to have to do some research on that one.

49  
50                   But again I appreciate that this is very

1 difficult for you. I appreciate that it's a complicated  
2 issue. But it is one that should be determined by the  
3 local areas. It should be determined in Alaska, because  
4 these are Alaskan needs. It's some that many people from  
5 outside of this area, most people from outside this area  
6 can't understand.

7

8 Common high school attendance, 30 percent  
9 work, more people -- you know, can you tell me where I  
10 can find where some of these more definitions are?  
11 Because I would like to see actual definitions of some of  
12 these terms.

13

14 That's all I've got.

15

16 Thank you.

17

18 MR. KRON: Thank you, Kevin.

19

20 Our next speaker is Pat Holmes, and  
21 following him, John Reft. So, Pat.

22

23 MR. HOLMES: I'm Pat Holmes and I'm with  
24 the Kodiak Rural Subsistence Round Table. And we were a  
25 group of folks that kind of organized our community in  
26 2006, and probably had close to 480 people at our  
27 auditorium to testify then, I was looking back at the  
28 notes on that meeting, and it said 87 people  
29 testified, but there was a whole lot of people there, and,  
30 you know, you've just got a little chunk here tonight.

31

32 I would make one appeal. You advertised  
33 a two-hour hearing, and Staff took 38 minutes by looking  
34 at that clock to make the introduction, so I think we  
35 need 38 minutes more, because that -- we're not even  
36 going to finish folks here.

37

38 And back to disagreeing with the courts.  
39 Not being employed, I can do that. And I think the  
40 easiest way to solve this is ask Iver.

41

42 (Laughter)

43

44 MR. HOLMES: Ask Margaret Roberts. Ask  
45 Sonny Chichanof. Ask the elders in the community what  
46 their community is, because they know a whole lot better  
47 than a bureaucrat that's moved up here that's moved up  
48 here that's the head of an agency from Boulder, Colorado  
49 or Peninsula, Wisconsin.

50

1 I'm going to try to cover a few of the  
2 concepts and lightly that we've discussed, and I want to  
3 hit on a couple that I think might be some solutions.

4  
5 In my mind, the criteria as I alluded to  
6 was really created by non-Alaskan bureaucrats trying to  
7 define the cultural concept of subsistence and who should  
8 participate. But with the exception of Niles Cesar, I  
9 don't think any Board member has ever really done that.  
10 I mean, really lived it and done it. And so that is a  
11 definite handicap in coming up with definitions. And,  
12 again, I know a couple lawyers in town I greatly respect,  
13 but when you rely on lawyers and courts, it doesn't  
14 define what people really are. And that's the issue in  
15 my mind.

16  
17 It's really swell that the new  
18 Subsistence Board has reached out to ask us those  
19 questions, and that's so wonderful that we have a chance  
20 to do that.

21  
22 I'll bop along quickly as I can.  
23 Population thresholds just really aren't valid, and I  
24 think that it just really shouldn't be a primary factor  
25 in defining what's rural. If you're using a number, it  
26 should be larger than what you're using, but really it  
27 varies with the community. It varies with the location.  
28 And I think if you want to get at people that have access  
29 to subsistence, that's the question, then you should  
30 maybe -- I think you should be using Alaska permanent  
31 fund database, because those are at least people that  
32 have been here a year, and that eliminates a lot of  
33 transients. Then we don't have to have quibbling over  
34 whether Coast Guard is subsistence or not. Some of those  
35 people retire, they re-up, and they stay here for years.  
36 And so I think you should look at Permanent Fund, their  
37 database to define how many permanent residents are in a  
38 community. Since we had IFQs and grants (ph), our  
39 population has in one respect lost people that have moved  
40 stateside, and they're only up here seasonal. And what  
41 used to be permanent residents are now seasonal. They  
42 might own a house here, but they're only here for three  
43 months to make the money and split. Coast Guard folks,  
44 there's maybe 40 percent are non-residents. But, you  
45 know, if you looked at -- it would be a simple thing to  
46 go to the Permanent Fund, because that gives you a lot  
47 more precise information in my mind.

48  
49 And I'd like to talk now about a concept,  
50 you heard from Iver and from Kevin, and you'll hear from

1 a lot of folks. And I see in looking at the data that  
2 you examined the last time, looking at Bethel, and, you  
3 know, their numbers were rolled over 5,000 the last time  
4 around. Why weren't they questioned? Well, it's because  
5 of what that community does. It hit the threshold, but  
6 they're as subsistence as you can get.

7  
8 We had some information that I looked at  
9 from the Subsistence Division, and this relates to  
10 Kodiak, and several studies pointed out we had 92 to 95  
11 percent sharing, even including the Coast Guard station.  
12 A lot of rural villages don't hit that, because people  
13 either are very Native, do lots of subsistence, and then  
14 you've got a big chunk in each one of those small towns  
15 that don't do it. And there isn't that sharing. Here,  
16 regardless of a person's ethnic background, nobody --  
17 we've got a saying here, I think I picked it up from  
18 Iver, nobody goes hungry, because we all share.

19  
20 And that's something I think in my mind,  
21 looking at your criteria, it doesn't get at it. It  
22 doesn't really define what we are. It again goes back to  
23 somebody from out of our community trying to decide.

24  
25 But the hubs, I've got to get back to  
26 that. If you look at Bethel, Nome, Kotzebue, Sitka,  
27 Kodiak, their numbers fluctuate. They fluctuate within  
28 season because of the high cost of food and other things.  
29 We see I think now an annual migration into subsistence  
30 hubs. Folks move into town. Our villages, we used to  
31 have 1200 people in them in the wintertime. I don't  
32 think there's a couple hundred. And, you know, people  
33 move into town. They move the closest place where  
34 they've got relatives, where they can afford to stay, and  
35 yet still have that lifestyle during the winter, and then  
36 be able to go back out to their villages. And so that  
37 goes on all over Alaska.

38  
39 So I think there should be another  
40 category for subsistence hubs, and I think Kodiak and  
41 Sitka are unique. There's a comment of once subsistence,  
42 always subsistence. You know, the rural island  
43 subsistence hub is a unique entity. Both Kodiak and  
44 Sitka have had permanent people for 7,000 years at least.  
45 We're the first modern communities in Alaska with a  
46 European background. And yet we're still here. We've  
47 had tremendous changes. Our population has probably gone  
48 from a few hundred to 12,000. I question some of those  
49 numbers, because I think there was some double counting,  
50 but that's a whole different thing.

1                   So we've had this continuous culture  
2 here, this continuous harvesting and sharing of  
3 resources. And I think that that's really important.  
4 And I think subsistence hub concept is a good one, and I  
5 think that an island subsistence hub is another exclusive  
6 category. We're not going to get any bigger much unless  
7 we get another cutter.

8  
9                   People are where they are, because that's  
10 all the land we have open to do it,  
11

12                  And when we do have subsistence problems  
13 here, and part of your duty is to prevent problems, our  
14 community is different than most places in that our RAC,  
15 our Subsistence Council, the Federal folks, get together  
16 with the advisory committee, Mr. Fox who might speak  
17 later is the secretary for that group, get together with  
18 the State folks, and we try to find some common solutions  
19 to what other places might be a crisis. And almost all  
20 the time we solve them. And then we bring in the  
21 agencies, figure out how they can do it, and then present  
22 it to whichever group, the State or the Feds, is the best  
23 board to solve it. And so, you know, that's a factor for  
24 us that protects our resources.

25  
26                  We have tremendous management from Fish  
27 and Game and from Fish and Wildlife Service. And for us,  
28 12,000 is never going to jeopardize that.

29  
30                  Let's see, I've got to gallop ahead  
31 quicker.

32  
33                  I think the current grouping  
34 characteristics that are used are inadequate. I think  
35 that we need things that more define the rural/non-rural  
36 with, you know, subsistence things. And I know from  
37 Carl's presentation that that might not be kosher, but I  
38 think looking at some of the State criteria, some of  
39 those things define us better as a rural population, and  
40 our culture much better.

41  
42                  Okay. I touched on abundance of natural  
43 resources. I mean, it's been continuous. We're second  
44 port in the nation for volume of fish, and yet we have a  
45 dynamic subsistence fisheries here.

46  
47                  Anyway, think about the Kodiak model for  
48 problem solving. Think about asking Iver. And, you  
49 know, it might work out a lot better. And certainly  
50 consider the Permanent Fund as a database for getting



1 more accurate population numbers.

2

3 And I'll be quiet, and I'm sure lots of  
4 other folks will add detail.

5

6 Thank you very much.

7

8 MR. KRON: Thank you, Pat. And based on  
9 your request, we will go until 10. Originally the hope  
10 was to finish by nine, that is not going to happen. And  
11 we'd still like to ask that you try to keep the  
12 presentations to five to six minutes if you can, and I'll  
13 take about 10 people here and then we'll go to the  
14 teleconference line.

15

16 So the next person is John H. Reft, and  
17 following him is Natasha Hayden.

18

19 MR. REFT: Okay. John Reft, vice chair  
20 of Sun'aq Tribal Council. And basically I'm just speaking  
21 on my own now. I spoke about the Council this morning at  
22 the RAC meeting.

23

24 But so much material has been covered by  
25 Pat that mine will be short. And he had a lot of valid  
26 points that I completely agree with, and I hope you take  
27 Pat's word into consideration very highly.

28

29 But the census determination and count  
30 should be made, like Pate suggested, through the PFD,  
31 Permanent Fund Dividend, to get the more accurate  
32 account.

33

34 But I cannot understand, being a  
35 commercial fisherman all my life, and retired, that the  
36 determinations can be made on our behalf by people in  
37 America, in the United States that have not been here.  
38 They don't know us. They don't know how we exist, what  
39 we depend on to feed our families, our kids growing up,  
40 schools, different things. They have no idea what kind  
41 of lifestyle we live, but in the commercial fishing, the  
42 same rules and regs came to us, slammed down on us from  
43 Outside, and we have no say-so locally.

44

45 But here we are again, you know, in this  
46 rural/urban determination. They don't know what really  
47 the people here depend on, what their lifestyle was from  
48 the beginning and now, and essentially what our existence  
49 depends on. That's the sea. We need the sea to feed our  
50 families. We need the land and the fish and stuff to

1 feed them.

2

3 And everything that we are here since the  
4 beginning, like was stated earlier, depends on retaining  
5 our status as a rural community. We cannot exist with  
6 the high prices. The ferry has been down. You can't go  
7 to Anchorage and get stuff like you're used to doing.  
8 There's no ferry system. And then if the plane can't  
9 fly, you can't get food in here. But if you could keep  
10 food for your family in a freezer of something like that,  
11 you could survive. You can weather the storm and they  
12 will eat. And that's basically why we are all here to  
13 testify that we need to retain our status as rural so  
14 that we can take care of our families.

15

16 Thank you.

17

18 MR. KRON: Thank you, Mr. Reft.

19

20 Before we go on to the next speaker, we  
21 have Tom Paramanof here, the CEO for Koniag. Thank you  
22 for coming, Tom.

23

24 The next speaker will be Natasha Hayden,  
25 and following Natasha, Frank Bishop.

26

27 MS. HAYDEN: Good evening. I would like  
28 to thank you for giving us an opportunity to speak to you  
29 about something that is so near and dear to all of our  
30 hearts. And I'd also like to say how privileged and  
31 honored I am to come after Iver, Johnny and Pat who have  
32 been in our community and have been representing our  
33 community so excellently for so long.

34

35 I am grateful to be able to tell you that  
36 I'm one of the generation that has been able to go to  
37 college, and has been able to return to Kodiak and to  
38 participate in a subsistence lifestyle that I have known  
39 my whole life. I do not remember the first time that I  
40 caught a fish in a net. I do not recall the first time  
41 that we were able to partake in game at our table. It's  
42 something that we did every day for the whole beginning  
43 of my life. And now it's something that I continue to do  
44 with my children.

45

46 There are a couple of points that I would  
47 like to make. I agree with everything that Pat has said  
48 to you. I believe that an arbitrary number that is a  
49 threshold for population is not an appropriate way to  
50 determine the ruralness of a community, of a place like

1 Kodiak. I think that something that would be a better  
2 representation for you to understand is the geographic  
3 remoteness that we have here, the uniqueness of being  
4 located on an island in the Gulf of Alaska, or in the  
5 Arctic Ocean, or in the Bering Sea, or in Southeast  
6 Alaska that can only be reached by traveling hours on a  
7 marine vessel or hundreds of miles via airplane. The  
8 nature of being geographically remote in itself should  
9 meet the criteria of consideration of ruralness, and  
10 anything after that would be secondary to look at.

11  
12 I think that once a community has been  
13 and is a rural subsistence community, that it should  
14 maintain rural subsistence priority regardless of  
15 population fluctuations, modern improvements of  
16 technology and medical, the ability to be treated  
17 medically. I believe that some of the criteria is  
18 whether or not we have access to higher education, and to  
19 hospitals and such. And we should not be penalized at  
20 the advancements in technology and the making health care  
21 available to the residents in rural Alaska.

22  
23 I think the proximity to the resource  
24 should be a major consideration. I get to hop in my  
25 skiff and I'm pulling fish out of my net often within 15  
26 minutes after I've gotten into my skiff. That's  
27 something that very few people around the State of Alaska  
28 can say. I think that only the people that are in the  
29 proximity and living in the proximity to the resource are  
30 the ones that should be heard. Their voices should be  
31 heard in this voices.

32  
33 I think the 10-year requirement should be  
34 eliminated. I think -- I guess I already talked about  
35 this, excuse me. In an instance where there's a trigger,  
36 such as a very large population jump, then maybe it  
37 should be reviewed, but other than that, I mean, if  
38 you're subsistence and you're rural, then we should be  
39 able to confidently be secure in the fact that we'll be  
40 able to continue to do this with our children.

41  
42 I would like to just give you a little  
43 bit more background about me and my family. My father  
44 was born in Afognak, and I was born and raised in Kodiak.  
45 And throughout my life I've lived all around the nation.  
46 I've traveled all around the world. And my feet are  
47 planted on this island. And my children have known how  
48 to fish since they could walk. Fishing for us is  
49 synonymous with joy, happiness, home, play, work, and  
50 everything that has to do with our lives.

1                   So I would please request that you --  
2 when you're making the considerations how to define the  
3 criteria, listen to the residents of our great state.  
4 Listen to the residents of our communities. And, please,  
5 take all of that into consideration.

6  
7                   MR. KRON: Thank you, Natasha.

8  
9                   The next speaker is Frank Bishop, and  
10 following Frank, Brenda Schwantes.

11  
12                  MR. BISHOP: Good evening. I'm Frank  
13 Bishop. I'm a 42-year resident of Kodiak.

14  
15                  I came here 42 years ago because I like  
16 the island; I like the lifestyle. The lifestyle for me  
17 and my family, my grandkids, hasn't changed. I see John  
18 Reft, I see Johnny Parker. I see the people that I hunt  
19 and fish with all the time here. My relatives. Everyone  
20 in here I see is a subsistence user of some sort every  
21 day.

22  
23                  And you talk about the population  
24 thresholds. Okay. The island has gotten more people on  
25 it. But the fact that it's an island hasn't changed.  
26 The prices of food in Anchorage are still way higher than  
27 they are here. The prices of lumber, the prices of  
28 anything you want to talk about is higher other places  
29 than it is here.

30  
31                  I would like to suggest to you is to use  
32 the island, like other people have said, as a threshold  
33 or as a point of contest for it.

34  
35                  I don't know how to tell you guys how  
36 important this is to me and my family. My grandkids eat  
37 fish every year, just like Reft's grandkids and Johnny's  
38 grandkids and these other people's. And it's not  
39 something we take lightly. And if people from Outside  
40 think we do, then they need to learn differently.

41  
42                  I go Outside and I talk to people about  
43 -- and by Outside I mean the Lower 48. I go down there  
44 and I talk to people about my lifestyle here, and they  
45 laugh at you. But it's not. It's not a laughing matter  
46 to the people that live here. This is our life that  
47 we're talking about.

48  
49                  And I just would like to strongly suggest  
50 that you use other thresholds, just the fact that a 10-

1 year review doesn't change the fact that we're still on  
2 an island, guys. The island's still here, and it's -- we  
3 haven't built a bridge to Homer yet.

4

5 (Laughter)

6

7 MR. BISHOP: I'm going to keep it short,  
8 but I just can't emphasize enough what it means to me,  
9 and really take into consideration what Iver and John  
10 Reft and the other people here that have spoke before are  
11 telling you, because I'm telling you the same thing.  
12 This is our lifestyle and I don't know how to say it any  
13 other way. It will be devastating to us if it's taken  
14 away.

15

16 Thank you.

17

18 MR. KRON: Thank you, Frank.

19

20 Brenda, you're next. And following  
21 Brenda, Melissa Borton.

22

23 MS. SCHWANTES: My name is Brenda  
24 Schwantes. I am a subsistence user, and I'm not  
25 representing any organization.

26

27 And I'd like to thank the Federal  
28 Subsistence Board for spending your time coming to Kodiak  
29 and participating in this issue and problem for many of  
30 us that live here. Or potential problem. And I know  
31 that at some time -- you know, this is an overwhelming  
32 issue with a lot of things to consider, the rules and  
33 regulations of multiple agencies and so forth. And so I  
34 appreciate you taking these comments.

35

36 I prepared a written statement which I'll  
37 submit after I'm done reading it.

38

39 My name is Brenda Schwantes. I am a  
40 resident of Kodiak and a lifelong subsistence user,  
41 excuse me, having lived in both Southeast Alaska,  
42 including Ketchikan and Wrangell, Naknek, Alaska,  
43 Anchorage, and Kodiak. In all of those places we have  
44 practiced a subsistence lifestyle of gathering,  
45 harvesting, hunting all the resources that were available  
46 to us and our family. But I am originally from Kodiak,  
47 and so are my -- so is my heritage.

48

49 My purpose today is to submit public  
50 testimony and written comments on the Federal Subsistence

1 Management Program's rural determination process. I urge  
2 the Federal Subsistence Board to revise and update the  
3 rural determination process. It's my opinion that the  
4 current system places too much emphasis on population  
5 when the process should place the highest emphasis on  
6 rural characteristics and include a geographical  
7 consideration such as the remoteness of the island.

8

9 My comments on the revisions to the rural  
10 determination process continue as follows:

11

12 (1) Population should not be a major  
13 factor in determining rural status. Too much emphasis is  
14 placed on a population cap. If there is to be a  
15 population cap, that number should be increased  
16 significantly. 20, 30,000. That would be my last  
17 suggestion, to have a population cap, because I believe  
18 strongly that any rural determination process should be  
19 -- the first factor considered should be the  
20 characteristics of the community, and those that live in  
21 it, and the remote -- the geographical location.

22

23 I also disagree with aggregating  
24 communities to determine population. There's too many  
25 variables in a community, in the transient nature of many  
26 Alaska communities with the different industries that  
27 come in and out of each community. I don't believe in  
28 aggregating communities to determine a population size,  
29 if there is to be a population cap. Again, rather the  
30 most important determining factor in defining rural  
31 should be the community or the area characteristics.

32

33 And hopefully maybe the Board could bring  
34 this to the Secretary of Interior as a potential  
35 solution. Populated islands in Alaska and archipelagoes  
36 should be determined rural, just exempt from the  
37 determination process strictly and solely because of the  
38 remote location of those islands and archipelagoes. If  
39 you look around Alaska, there's not that many islands and  
40 archipelagoes that exceed the current population cap, and  
41 I believe it could be a healthy resolution to a portion  
42 of your issue at hand and our issue as well.

43

44 The common rural characteristics of  
45 islands and archipelagoes include a lack of community  
46 infrastructure. The high cost of living in those remote  
47 areas is a common feature. The lack of higher  
48 educational institutions, and a lack of medical care and  
49 facilities, and the inability to commute to other  
50 metropolitan areas to pursue employment or obtain goods.

1                   In summation, I urge the Federal  
2 Subsistence Board to eliminate the population guidelines  
3 in determining rural status and utilize a community or  
4 area characteristic matrix which includes a geographical  
5 component, such as an island or an archipelago or set or  
6 archipelagoes in determining a community's rural status.  
7 Islands and archipelagoes in Alaska should be determined  
8 rural and should remain rural and be exempted from the  
9 rural determination process every 10 years.

10

11                   Thank you.

12

13                   MR. KRON: Thank you, Brenda.

14

15                   The next speak is Melissa, and following  
16 Melissa, Bob Polasky.

17

18                   MS. BORTON: Good evening, and thank you  
19 for giving us the opportunity to comment on the rural  
20 determination process.

21

22                   I don't think you're going to hear -- oh,  
23 sorry. Melissa Borton. I'm the tribal administrator for  
24 the Native Village of Afognak.

25

26                   I don't think you're going to hear  
27 anything different from me than you've heard from the  
28 people before me, and I certainly can't say what they  
29 said more articulate, but I'm going to do my best at  
30 least to add to the numbers so that you understand how  
31 passionate we are about our subsistence. I was born and  
32 raised on the island, so was my husband, and subsistence  
33 is extremely important to us. And we want our children  
34 to be able to benefit from that as well. It's our  
35 cultural lifestyle and it's traditional.

36

37                   But aside from that, living on Kodiak  
38 Island is expensive. I know you all had to buy tickets  
39 to get here, and it wasn't cheap. I would encourage you  
40 to come and live on the island for a couple of years and  
41 experience what we experience when we go to Safeway on a  
42 Sunday night and there's no milk or eggs. Same on Monday  
43 morning. And if the weather keeps the ship out, that  
44 could last several days. They have to airfreight eggs  
45 and milk into Kodiak, and that makes it more expensive.  
46 So that aside, I will get to some of your questions.

47

48                   I agree with Brenda, the population  
49 thresholds are way too small. I don't have a magic  
50 number I can give you, but I would like to say that it

1 should not be the primary determining factor. Kodiak is  
2 a remote community. It's expensive to get here.  
3 Geographic remoteness should be a primary factor, and  
4 population down on the chain somewhere.

5  
6 I would encourage, if you're looking for  
7 other criteria to think about, I would have you look at  
8 the State of Alaska criteria. They have 12 different  
9 characteristics that they look at. Some of them are not  
10 demographic in nature. They talk about the extent of  
11 sharing resources and the diversity of the resources that  
12 we have available to us. And those fit Kodiak a lot more  
13 than diversity in economy and whether or not we have an  
14 educational institution. I agree with Natasha that we  
15 should not be penalized for having a community college,  
16 a Safeway and a Walmart, and a hospital. Those are  
17 things that add to our economy and make Kodiak a stronger  
18 place to live, but they certainly don't solve the problem  
19 with how expensive it is to live here.

20  
21 And as far as the timeline, I don't think  
22 that the Federal Subsistence Board should determine --  
23 they shouldn't review a community every 10 years. I  
24 agree that if the community is determined to be rural, it  
25 should remain rural unless something significant changes  
26 in the community that changes that factor.

27  
28 So I appreciate the opportunity to speak,  
29 and I will keep it short.

30  
31 Thank you.

32  
33 MR. KRON: Thank you, Melissa.

34  
35 Our next speaker is Bob Polasky. And  
36 following Bob, Johnny Parlek (ph) I think based on the  
37 spelling I'm seeing here.

38  
39 So go ahead, Bob.

40  
41 MR. POLASKY: Thank you. I just wanted  
42 to mention that John Reft just had a really good  
43 suggestion to me. He mentioned that in World War II --  
44 and this is related to how remote Kodiak is. He  
45 mentioned that in World War II the Japanese tried to  
46 bomb us three times and couldn't find us.

47  
48 (Laughter)

49  
50 MR. POLASKY: And so we're thinking about



1 if you could add that to your criteria, we'd probably be  
2 pretty good here.

3

4 (Laughter)

5

6 MR. POLASKY: Yeah. Thank you for being  
7 here.

8

9 You know, we've been meeting the last  
10 year. I'm with the Sun'ag tribe of Kodiak. I'm their  
11 administrator. I'm on the round table. And we've got  
12 some great leaders in the community that I've been  
13 helping keep those meetings going, including Pat and John  
14 and Melissa and most of the other folks you're going to  
15 hear from tonight.

16

17 And it just reminded us all when we  
18 started meeting a while back, because this opportunity  
19 came up, and I want to remind folks, and we do, that it's  
20 an opportunity. We're not under review right now. This  
21 is an opportunity.

22

23 But what you're going to find though,  
24 because of what happened in 2006 when we were under  
25 review, you're going to find all the comments you're  
26 going to find tonight for the most part are going to be  
27 more related to the lifestyle and the necessity of that  
28 lifestyle and how important it is to people here, because  
29 when we did go through this process in 2006, I don't  
30 believe Kodiak deserved to go through that process. It  
31 was very hurtful to people that feel that their lifestyle  
32 is under review, under a microscope. Not that much  
33 changed since ANILCA was passed and Kodiak had initially  
34 been designated a rural community.

35

36 So, you know, when we're talking about  
37 that 10-year review, I think there needs to be much more  
38 emphasis on -- it's got to be something really  
39 significant before you put a community through that.  
40 This was a ton of resources that we spent fighting to  
41 retain something that had already been identified by the  
42 Federal government. It was -- you know, people were  
43 crying at the hearings. People really felt that, you  
44 know, that's why they lived in Kodiak, why would this be  
45 happening to us? They didn't understand it. And they  
46 still don't understand it very well.

47

48 So we have to make every effort, and the  
49 tribe will be submitting written comments that are going  
50 to be very detailed, so I'll be brief, too. But we have

1 to make every effort to not have that happen again. It's  
2 just not right. And then just this whole process, that's  
3 why you're seeing people come out tonight in such big  
4 numbers is because of what we went through before, and  
5 they know how close we were, because we had to fight to  
6 get rural basically.

7

8 And I wanted to just mention a couple  
9 individuals, too, because Pat mentioned Niles Cesar, and  
10 he was a wonderful man, and we're sorry that he is  
11 passed, and he was a great member of the Board here.

12

13 But I also want to recognize another  
14 great member of the Board in the past, and that was Mitch  
15 Demientieff. He was a wonderful guy. And he took time  
16 to come over here two or three times during that process,  
17 and I just wanted to mention that, because he passed  
18 away, too, and he was a great man.

19

20 So the 10-year issue, we'll probably be  
21 trying to find some language to suggest to you. And, of  
22 course, everybody's suggestions are important, but that  
23 it's got to be a very significant change to a community.  
24 And if it's population, it's got to be quite a  
25 significant change, because a few hundred people  
26 fluctuating back and forth is not a significant change.  
27 It's not enough to put a community -- and the expense of  
28 it all, put everybody put that.

29

30 We might very well be suggesting some  
31 language that's used with other departments, like the  
32 Department of Agriculture. I believe in some  
33 designations of rural they use a designation of a  
34 frontier, remote status. And it's fairly common  
35 actually.

36

37 But we are different, and there's room to  
38 recognize that in criteria that Kodiak is different.  
39 It's remote. You know, it is frontier. It's hard to get  
40 in and out of. We have volcanoes that stop people from  
41 coming. We have weather all the time. There's so many  
42 times we're all stuck coming and going. So this is not  
43 a place that is accessible. It's -- so that remote,  
44 frontier nature of Kodiak should be looked at as one of  
45 the possibilities.

46

47 And another area of aggregation, as  
48 others have said, you know, why aggregate -- aggravation  
49 -- yeah, aggravation, that's a good one.

50

1 (Laughter)  
2  
3 MR. POLASKY: Aggregating a community  
4 like Kodiak just doesn't seem to fit this community at  
5 all, because we're not connected to the mainland. So  
6 we'd ask that you take another look at that.  
7  
8 And we don't think the five  
9 characteristics that occur right now are sufficient, so  
10 we think if that's where we're going with this, that some  
11 further characteristics should be put in place.  
12  
13 And to protect those that already have a  
14 designation from a 10-review process that can bring on  
15 this onslaught of people and emotion. And, you know, we  
16 have so many other things to do here that are more  
17 important.  
18  
19 So that's where we're going right now.  
20 And again we'll have some written comments.  
21  
22 And thank you very much.  
23  
24 MR. KRON: Thank you very much, Bob.  
25  
26 And I note that we've got almost 70  
27 people in the room now to speak.  
28  
29 What we're going to do next, I told the  
30 people on the phone that we were going to take their  
31 testimony as well. And so what I would like to do is go  
32 ahead and take telephone testimony, and then we'll pick  
33 up the rest of these green cards from the room as soon as  
34 we finish that.  
35  
36 So if there's anyone on the phone that  
37 wants to start, just jump in. You need to tell us what  
38 your name is, spell it for us, and tell us what your  
39 affiliation is.  
40  
41 MS. KENNEDY: This is Vikki Jo Kennedy,  
42 V-I-K-K-I J-O K-E-N-N-E-D-Y. And my affiliation is  
43 Kodiak Island. And thank you for having this hearing  
44 tonight.  
45  
46 And I'm really glad that you read off  
47 numbers from the 2000 census, but they did one in 2010.  
48 So some of this assignment is false. You're taking, you  
49 know, some comments now, because it's going to take you  
50 about three years to get to the 10-year gap that we're

1 going to be reviewed again. You know, we're talking  
2 about bureaucracy, and I totally understand it.

3  
4 So the point is I think if you're going  
5 to take something from us, you've got to give something  
6 back. But if you're going to do it, you need to separate  
7 the city limits of Kodiak, the city limits of Kodiak,  
8 from the borough, from the borough road system, and all  
9 the villages separately.

10  
11 Now, back to the beginning, because we  
12 know we've got almost 15,000 people including all of the  
13 archipelago, all the way over to the Katmai, you know,  
14 because our borough's big. You've got a map in front of  
15 you. Look at it. Separate it. Separate everything.  
16 You don't have to take any of it.

17  
18 Now, I want to hit something that's not  
19 always popular, but we've got very little hunting ground  
20 on the road system of Kodiak, because currently Leisnoi  
21 Corporation owns about 350 square miles of land on the  
22 Kodiak (indiscernible). And without paying some  
23 expensive permits, you're not allowed to go out there and  
24 hunt. So we have the Island of Kodiak to do that in.  
25 And a lot of people here do indeed depend on subsistence  
26 living. You know that. I've testified before you  
27 before. And so have a lot of people in that room.

28  
29 But I know your determination is to take  
30 something, so here's what I'm going to give you. You  
31 know that land grab that's currently going on out there  
32 at Narrow Cape in the Sacramento (ph) Valley. It started  
33 out being 200 acres. Yes, and I'm talking about the  
34 Kodiak Launch Complex run by the Alaska Aero Space  
35 Corporation. It started out being 200 acres. It  
36 currently stands at 3,800 acres, and they want more. And  
37 they're going to get more.

38  
39 So if we can have a rocket launch, which  
40 I was all for until the (indiscernible) came out, and it  
41 was really classified as a defense site, then by God  
42 we're going to keep our rural subsistence rights here.  
43 Because if you're going to make us a target, we're going  
44 to fish and we're going to hunt. So if you want to take  
45 something, I'll hereby give you Narrow Cape.

46  
47 (Laughter)

48  
49 MS. KENNEDY: Except for the Burton  
50 Ranch. (Indiscernible) Sacramento Valley.

1 But, you know, I'm about tired of the way  
2 you come to this island, and I'm talking to you BLM and  
3 the Interior Department, you've given up land, you've  
4 swapped land for land out there, and that includes the  
5 Alaska Department of Fish and Game, the Mental Health  
6 Lands, and then you (indiscernible), for the last 12  
7 years I've have done nothing but track this, and I've  
8 (indiscernible) along the way. And I know how big this  
9 is going to get, and I don't like it. And when the  
10 people of Kodiak really start understanding what this is,  
11 this is why you're trying to take everything from us, but  
12 we won't give it up and we won't take it.

13  
14 You split us up, that's fine. Back to  
15 the (indiscernible) there's a lot. The villages are  
16 separate. The mainland's separate. Everything separate.  
17 But if you want something, you take that land back that  
18 you gave away to a so-called State entity that was  
19 private and then State and then Federal, and now the want  
20 the Pasagshak River for a barge. Yeah, that's going to  
21 work.

22  
23 So, I'm sorry, I'm a little hot-headed  
24 over all this, but I'm about tired of you guys coming to  
25 this island and threatening us and our subsistence.  
26 Well, I'm sorry, BLM and the Interior Department, but we  
27 are an island. We are the second largest island in the  
28 United States of America, and we are that remote, and yet  
29 the Japanese could not bomb us because of our weather.  
30 You should have been here about two days ago, you  
31 wouldn't be here right now.

32  
33 (Laughter)

34  
35 MS. KENNEDY: But (indiscernible) that's  
36 all I've got to say. And I do appreciate you coming.  
37 But take that back to D.C. I'll see you there next  
38 month. But, well, you know, if you want something,  
39 hereby give you the 3800 acres you took in the first  
40 place.

41  
42 Thank you and good night.

43  
44 MR. KRON: Thank you. Next off the  
45 phone. Who else would like to step forward? And again  
46 spell out your name for us and tell us what your  
47 affiliation is.

48  
49 (No comments)  
50

1 MR. KRON: Okay. We're going to go back  
2 to the meeting room here, and again I'll ask again if  
3 there's anyone else on the phone that wants to talk a  
4 little bit later here.  
5  
6 I've got Johnny Parlek (ph).  
7  
8 MR. PARKER: Parker.  
9  
10 MR. KRON: Parker. Okay. And then after  
11 Johnny, Tyler Randolph.  
12  
13 Thank you.  
14  
15 MR. PARKER: Well, yes, thank you, folks,  
16 for coming all the way to our little island in the middle  
17 of the gulf that everyone's arguing about. My name is  
18 Johnny Parker and I'm a lifelong resident of Kodiak.  
19 I've been here since 1970. I'm a member of Sun'ag,  
20 Afognak, and Koniag, and I've hunted and trapped and  
21 fished this wonderful land my whole life.  
22  
23 And it just seems like it's the same  
24 calvary coming every 10 years. We should remain rural.  
25 You know what I mean? Yes, we have a Coast Guard base.  
26 They become residents within six weeks of being here.  
27 They hunt and fish. Yeah, we have a non-resident fleet  
28 of trawlers that rape our waters and barely buy Carharts  
29 and rain gear, but without that fish tax coming across  
30 the dock, you know. And it's just a wonder there's still  
31 enough fish for us to fill our freezers. You see where  
32 I'm going with this?  
33  
34 I mean, this is our land, you know. This  
35 is Dave Allen's land. This is Iver and Pat and Johnny  
36 Reft and Frank Bishop and everyone, all the veterans, all  
37 the locals of this beautiful land, you know. And to see  
38 a bunch of outsiders come here and try to tell us what to  
39 do with our land, you know, it just -- it's really  
40 unnerving, and it's scary, you know. And you can't stop  
41 progress with the rocket launch and with the base. And  
42 you can't cut the hand that feeds you, but we need to  
43 remain rural. Okay.  
44  
45 This scare tactic every 10 years, you  
46 know, we're either rural or we're not, you know. Most of  
47 the folks here are seasonal anyway, so it shouldn't make  
48 a difference in my book.  
49  
50 I mean, you know, I saw the rise and fall

1 of the king crab fishery in the late 70s, early 80s. I  
2 saw the boats tied up four or five deep watching my  
3 father offload the boat he was on, you know. And they  
4 fished at night and they didn't have pot limits. Okay.  
5 We wiped that out. Okay. I was involved in the derby  
6 days of the halibut, and we wiped that out. Now it's  
7 IFQ, but most of those folks live Outside. A few of them  
8 reside here. But those canneries don't stay open for  
9 those five or six local boats that catch 100,000 pounds  
10 a year. they stay open for the ones that own the  
11 majority that live in Seattle, Newport, and Depot Bay.  
12 Okay.

13

14 Kodiak has changed, and it's just -- it's  
15 kind of sickening, but for the ones of us that live here,  
16 you know, and remain here, I don't fill my freezer with  
17 sport-caught fish. I fill my freezer with fish caught in  
18 a gillnet from PL or Litnik or Buskin or Pasagshak,  
19 whether it's State or Federal or whatever. I want to be  
20 able to go out in my boat with my family. Like that  
21 picture of that landing craft earlier, I'm in the process  
22 of finishing one, and I go out in a little 12-foot dory,  
23 a podunk rig, and fill my freezer, you know, and half of  
24 this town does the same thing. Whatever kicker they can  
25 find, whatever they can float, and then muster up with  
26 their permits and their family and they go out and they  
27 picnic and they fill their freezers, you know.

28

29 And I just strongly urge you to really  
30 reach check your -- this whole census thing, you know.  
31 I mean, this isn't -- someone was referring earlier to  
32 the base build up. I mean, 30 to 40,000 GIs. Kodiak  
33 even at its highest point, I betcha, isn't even more than  
34 15, 16,500 with the villages, with the base, with the  
35 rocket launch, with everything else. I doubt it, you  
36 know. Right now it's probably 8200, but somewhere in  
37 your literature earlier I saw the 7,000 minimum, 20,000  
38 top remain rural.

39

40 So I strongly urge you to listen to  
41 everybody, listen to the villages. Listen to all the  
42 locals. And please keep us rural.

43

44 And, you know, unless it's really  
45 evident, the whole 10-year thing, I mean, it's like every  
46 10 years everyone gets all worked up about this, you  
47 know. We're either rural or we're not.

48

49 So I'll keep it short and let someone  
50 else move on.

1 Thank you.

2

3 MR. KRON: Thank you, Johnny.

4

5 So Tyler is next, followed by Heather

6 Parker.

7

8 MR. RANDOLPH: My name is Tyler Randolph.

9 I was born and raised here in Kodiak.

10

11 And unlike many of the people who have

12 spoken before me, a lot of them have been able to speak

13 to how Kodiak was. You know, I'm 29 years old and I was

14 born and raised here, so I can speak to how Kodiak was to

15 a point. But really I'm going to speak to you guys about

16 how I would like Kodiak to be.

17

18 You know, I went away to college. I was

19 fortunate to move off-island and attend school elsewhere,

20 but I chose to come back. And my wife chose to come

21 back. And we've chosen to raise our family here, and

22 we've chosen to have our careers here in Kodiak, and be

23 homeowners, and be productive members of the society.

24 And part of the reason that we've chosen to do that is

25 because Kodiak allows us to enjoy a subsistence

26 lifestyle. Some people like it, some people don't.

27

28 You know, the second slide that you

29 posted up earlier, the very first question is why are we

30 here? And I'm going to pose that to you guys. Really,

31 why are we here? The fact that we're even considering

32 not making Kodiak a rural area is just mind boggling to

33 me. There are people who pay thousands, tens of

34 thousands of dollars every single year repeatedly year

35 after year after year to come to Kodiak specifically

36 because it's not an urban area. They want to get away

37 from the urban, and they want to experience the rural.

38 They want to see these communities live off the land like

39 we used to. I think Bob said, you know, a frontier type

40 land. You know, that's something -- there's a reason

41 little boys grow up playing cowboys and Indians, because

42 they want to live the frontier lifestyle. And we're

43 fortunate to have that here in Kodiak.

44

45 Johnny alluded to, you know, we fish all

46 over the place, and to the people who you are considering

47 affecting with the decisions that you're going to make,

48 we don't think of it as, well, I'm in a Federal water

49 right now, or, oh, I'm in a State water right now. We

50 think of it as I'm going fishing in Port Lions or I'm



1 going fishing at the Buskin. It's Kodiak to us. We  
2 don't look at it as Federal or State.

3  
4 I'm going to try to follow along on these  
5 slides here.

6  
7 Mrs. Schwantes you know, you disagreed  
8 with the grouping, and so did many others. And I'm going  
9 to have to do that, too. I don't think that grouping is  
10 an effective criteria. You know, I'm hard-pressed to  
11 feel that you guys really have so much to do that you  
12 can't individually rate each community in Kodiak. One,  
13 there's not that many; and, two, I really don't feel  
14 that, you know, if proper efficienciess were put into  
15 place that you couldn't individually rate each  
16 consideration in Alaska.

17  
18 Population consideration. It's, really  
19 as many people have alluded to, it's not a valid factor.  
20 Kodiak's population swells significantly depending on  
21 what time of the year you're here. Ms. Kennedy on the  
22 phone alluded to, you know, that it took a long time --  
23 you know, the numbers you posted were from a 2000 census.  
24 Well, we've recently had a 2010 census, so we're coming  
25 up on four years here, guys.

26  
27 There was a suggestion to utilize the PFD  
28 database, and I think that that's a move in the right  
29 direction; however there are a lot of people who don't  
30 live in Kodiak that still collect a PFD. So I don't know  
31 if that's maybe necessarily the most correct or the best  
32 solution. I do think it's better than what you guys are  
33 currently using, some arbitrary 2500 number.

34  
35 Ms. Schwantes and Mr. Holmes, you guys  
36 also spoke to one of the determinations being our  
37 geographic location and the cost of goods and services.  
38 You know, I would defy any one of your decision-makers  
39 anywhere in the chain to come to Kodiak for 12 months and  
40 live off the mean income of Kodiak and not utilize some  
41 subsistence to make ends meet. I defy you to do that.  
42 You know, we have a newly increased 7 percent city sales  
43 tax. We've got two governments to support. We've got  
44 multiple capital improvement projects that we're still  
45 trying to figure out how to support. And then in  
46 addition to take away a subsistence way of life that  
47 really many people rely on, I think you're, for lack of  
48 a better term, going to bite the hand that's going to  
49 feed you.

50

1                   Ten years to me seems ridiculous. I  
2 understand that times change, and I understand that there  
3 are circumstances that would require the reassessment of  
4 whether an area is rural or not. I don't think anybody  
5 in this room will ever see something like that happen to  
6 an area like Kodiak or Sitka or Bethel or any of these  
7 other areas that are under consideration.

8  
9                   One of the things that I'd like to talk  
10 about, too, is if you do choose to take away our rural  
11 status, and people are not allowed to rely on the  
12 subsistence way of life, now you're going to increase our  
13 cost of goods and services. Our goods and services are  
14 already high, but the proportion of people's income  
15 utilized for basic necessities of living that we are  
16 getting out of the subsistence lifestyle are going to  
17 increase the amount of our income that we have.

18  
19                   If you increase the cost, you know, how  
20 much people have to spend to live in Kodiak, you're now  
21 going to decrease the population that Kodiak --  
22 eventually the population will decrease. If the  
23 population decreases and you continue to use your  
24 population basis as a main rating criteria, we're going  
25 to be sitting in this room about 10 years from now doing  
26 the same thing over again.

27  
28                   I understand we've got to have some job  
29 security, but I also understand that this really isn't  
30 the best use of resources.

31  
32                   Again, Mrs., Borton, you alluded to this.  
33 You know, live here for 12 years and try -- or 12 months  
34 and try to not use subsistence to live here.

35  
36                   I know you guys have got a hard job. I  
37 know that obviously the people in this room don't want to  
38 see our subsistence lifestyle go away, but really I urge  
39 you to really consider what is it that caused people to  
40 live in Kodiak, and why do people continue to make Kodiak  
41 their home. And I think a main consideration is because  
42 we are able to enjoy a subsistence way of life. And if  
43 that is taken away, I don't think that you're going to  
44 have -- Kodiak will be a drastically different place in  
45 a relatively short amount of time.

46  
47                   So, thank you.

48  
49                   MR. KRON: Thank you.

50

1                   Our next speaker is Heather Parker, and  
2 following Heather is Bill Bankies (ph) I think is the  
3 correct pronunciation.

4  
5                   And I would ask again if anybody is  
6 thinking something that hasn't been said or you want to  
7 speak, please fill out a card and get it to me. We're  
8 getting down to the bottom of the pile here, and then I'm  
9 going to go back to the phone.

10  
11                   Thank you.

12  
13                   MS. PARKER: Okay. My name is Heather  
14 Parker. I'm here representing myself along with my  
15 family, my husband, Johnny Parker, and our son Dillon.

16  
17                   A part of me would like to say I'm happy  
18 to have this opportunity to talk to you in a less  
19 aggressive, scary way in some respects, because in 2006  
20 after the local public testimony here, I was one of those  
21 individuals representing our island that spoke with the  
22 full Board in Anchorage at the final hearings.

23  
24                   And at that time our son Dillon was five.  
25 And the only thing that I see that's changed in Kodiak is  
26 that he's 12, and all the other kids that were born at  
27 the same time are 12. And beyond that, we've had slight  
28 population fluctuations, but Kodiak is still rural. It's  
29 still remote. It is what it is. That's a cliché that,  
30 you know, I've heard since I was a child. It is what it  
31 is, but there's some real truth to that. Once you're  
32 rural, you're rural. It takes a lot to change that. I  
33 don't see Kodiak ever changing.

34  
35                   I'd like to thank our fellow residents  
36 for coming out tonight. It is an ugly night. It's just  
37 a Kodiak night. It's not a big deal. That's why we went  
38 ahead and came out. It would have been a nice night to  
39 do homework with the kids and other things, but this is  
40 important to all of us, whether we're young parents,  
41 whether we're kids. They're not home doing other things.  
42 There's children here. They are the future of our  
43 subsistence lifestyle, and we plan for it to be that way,  
44 and we respect the time. Although we're not happy to  
45 have to do this, we respect the time that you're giving  
46 us to discuss it proactively.

47  
48                   A few points that I'd like to point out  
49 that really are reflecting the same information is that  
50 I don't agree with the population threshold. Like I

1 said, it is what it is. We are rural. We're remote. No  
2 matter how many people may come for a small period of  
3 time, for some job influx, this is a remote island. This  
4 weekend there were barges bringing freight that were  
5 blowing onto rocks and delaying things coming to this  
6 town. That's common, you know.

7

8 We got a picture from a friend. We have  
9 some modern technology. I got on my i-phone, a picture  
10 that said, yeah, hope you didn't have freight coming in  
11 this week, because it's probably not going to be here on  
12 time. Not a big deal. Life goes on. We have our fish,  
13 we have our subsistence way of lifestyle.

14

15 The rural subsistence island hub or the  
16 frontier, remote reference, I agree with the comments  
17 that have been made. I think it would be much more  
18 realistic and appropriate to just acknowledge that for  
19 island lifestyle.

20

21 I made a call recently. I didn't have  
22 any special fares or mileage that was available to use  
23 for a trip to Anchorage. Even with two weeks advance  
24 purchase, if there's an emergency, or some short notice  
25 events, or something that you'd like to attend, two weeks  
26 doesn't make a difference like it does in the Lower 48 or  
27 some places. Flying out of somewhere urban like  
28 Anchorage or Fairbanks, you can call Alaska Airlines and  
29 get a two-week advance purchase. In Kodiak I was told  
30 and reminded by Era that it doesn't really matter how  
31 early you plan your trip. It matters on how many seats  
32 are left available on that fair. So although I inquired  
33 about traveling two weeks or even four weeks from that  
34 phone call, they said that the fair would be \$650 round  
35 trip for myself. I'm from a smaller family, two  
36 children, my husband and I. Four people. I'm a dental  
37 hygienist, I'm not a math teacher, but that's 2600 I  
38 believe just to get to an urban community were it to be  
39 to go to a wedding, to go farther than that. \$2600 is  
40 absolutely insane in my opinion. Obviously, representing  
41 myself personally, I can't speak on behalf, but I know  
42 I've heard that same type of feedback.

43

44 It's a 10-hour ferry ride. We take that  
45 when it's available for sports and things with children,  
46 because it is what you can afford with the support of a  
47 community to fundraise, to take teams to travel in urban  
48 communities. Large amounts of money, large amounts of  
49 time. Weather delays. I know people in the room who  
50 themselves or family have had 20-hour ferry rides because

1 of weather trying to get to this remote island, not able  
2 to get here in the 10 or 12-hour standard ferry ride.

3  
4 These are just common daily occurrences  
5 because we are remote. We are rural. That is normal to  
6 us.

7  
8 When I happen to fly and I've come in  
9 with my family or business or any kind of travel, I find  
10 it comical, because to us, you know who's from the  
11 island, even if they're newer to the island, maybe  
12 they've only been here a year. They've gotten used to  
13 Kodiak's lifestyle as a community. You know the new  
14 faces that are moving to town or coming to visit family  
15 or Coast Guard relatives.

16  
17 We value the Coast Guard here. We have  
18 fishermen as subsistence users. We all value the Coast  
19 Guard, but because they may change their size or the  
20 rocket launch may have more people come for a period of  
21 time, we shouldn't be penalized by aggregating  
22 communities.

23  
24 It's so common to listen to the comments  
25 of people that are from other places. Oh, my God, what  
26 is this place? Oh, my God, look how little it is. Oh,  
27 my gosh, I can't wait to get out of here.

28  
29 (Laughter)

30  
31 MS. PARKER: That's a rural versus an  
32 urban response to something.

33  
34 If we could count the number of people in  
35 the room that have been at meetings or occurrences, I'm  
36 glad you're here tonight. I hope that you get out on  
37 schedule. Partly.

38  
39 (Laughter)

40  
41 MS. PARKER: The other part of me hopes  
42 that you get to spend some extra time and experience our  
43 rural community, because that's what we do. We have a  
44 trip planned later this winter. My family is leaving two  
45 days early to allow. That means two days extra vacation  
46 leave, two days extra hotels in an urban city. Two days  
47 extra everything. Not leaving from home, having dinner,  
48 getting on that red eye fly and heading out, because we  
49 don't know how long it will take us to get there. Two  
50 days. Three days. It could happen. We could miss our

1 connection still with a two-day preparatory timeframe.

2

3 That's rural lifestyle. It is what it  
4 is. I don't-- I wish that there were things that we  
5 could put in to describe it even more. It is a fear to  
6 think of people at a table that don't for longer periods  
7 of time experience rural life, to give those designations  
8 and to tell us what that will be. So know that, you  
9 know, I'm not going to apologize for myself or anyone  
10 else, but know that it's not a good feeling. It's not a  
11 welcome type of thing in my opinion to have to go through  
12 this.

13

14 I don't think that a 10-year review  
15 period is appropriate. I think that once something is  
16 rural, like everyone else has said, it should remain  
17 rural unless there's some drastic change that just makes  
18 it unrealistic to even consider that. I don't see that  
19 ever happening in the island lifestyle types of areas  
20 like Kodiak Island, remote, other island archipelagoes  
21 that are remote. Those should be in a category of their  
22 own.

23

24 I guess I'll just kind of in closing,  
25 thinking back to 2006 when we went through this, my son  
26 was -- our son, sorry, was five. And at that time he had  
27 done a little project for school, and I testified. And  
28 when I testified I sat there, and the full Board was  
29 there, and many others across the State testified, and at  
30 that time some people were very engaged, and for those  
31 that were that are noted in those records, I'd like to  
32 thank them for their time and their consideration of  
33 Kodiak. Others were not. Some at the table were  
34 sleeping. Their eyes were asleep, and they were nodding  
35 off as we gave testimony. That is at the heart of why I  
36 get emotional, because that is not the respect that we're  
37 giving tonight to say, let's sit down, let's be  
38 proactive.

39

40 We are a community that lives a rural  
41 lifestyle. We want it that way. Let's meet at the  
42 middle. Let's respect funding. Some of us work for  
43 government agencies. Some of us work for non-profits,  
44 for private entities, for -- are members of organizations  
45 that have received funding. Everywhere we hear, we all  
46 know that funds are limited. Let's not waste funds of  
47 this nation, of this state, of the people of this  
48 community on things like this that are so basically  
49 obvious.

50

1                   That project that my son that I was  
2 referring to was in kindergarten, and it was tell three  
3 things that you're good at. And at that time he said,  
4 I'm good at hunting, he was learning with his dad. I'm  
5 good at fishing. And I'm good at sharing. Tonight he  
6 and the children like him in this community are better at  
7 hunting, and better at fishing, and better at sharing,  
8 because they've done it for seven years longer. That's  
9 the only thing in my opinion that has changed.

10  
11                   So with that, I'd like to say thank you  
12 for your time.

13  
14                   MR. KRON: Thank you, Heather.

15  
16                   Bill is next.

17  
18                   (Applause)

19  
20                   MR. KRON: Thank you, Heather.

21  
22                   Bill is next, followed by Rick Ellingson.

23  
24                   MR. BARKER: I guess Parker and Barker  
25 can't write, Johnny. I don't know.

26  
27                   (Laughter)

28  
29                   MR. BARKER: My name is Bill Barker, and  
30 I'm representing myself.

31  
32                   I probably wouldn't be in Kodiak if it  
33 weren't for the weather, because my wife and I, my new  
34 wife, got weathered in here for three days. And that was  
35 about 44 years ago.

36  
37                   (Laughter)

38  
39                   MR. BARKER: By the time we left, I had  
40 her. By the time our planes flew again, we didn't leave.  
41 I had a job and we bought a house and we're still here.

42  
43                   Islands are different, gentlemen. And I  
44 think you're hearing that over and over and over again.  
45 Islands are different. Islands by their nature are  
46 remote. Everything comes in here by airplane or by boat.  
47 There's no other options.

48  
49                   I take a look at your population  
50 threshold and I would suggest about 25,000, if you want

1 a number. And I get that from an archeologist that I  
2 talked to this afternoon when I called him and I said,  
3 what was the highest population of Kodiak ever? And  
4 that's the number they gave me. 25,000. And at that  
5 time I'm sure you could not call that urban.

6  
7 Islands are different. In 1964 we had an  
8 earthquake and tidal wave that destroyed the  
9 infrastructure along the beach and destroyed the airport.  
10 I just think -- I just -- I don't know, I wasn't here.  
11 I was in Anchorage at that time, but knowing what I've  
12 got in my freezer right now, if I could keep power to it,  
13 if I get a little bit of gasoline to the generator and  
14 keep that thing cold, I would have food and I'd be able  
15 to share that food with my neighbors. I have subsistence  
16 halibut. I have subsistence salmon. I have subsistence  
17 deer. I have berries that I've picked. Blueberries and  
18 salmonberries, wild currents. They're in my freezer.  
19 They're here for the winter. And next winter, or next  
20 summer I'll do the same thing again.. That's kind of  
21 called subsistence.

22  
23 I'm not a Native. I've been here 44  
24 years, but that still doesn't bring me in as a Native.  
25 But I live that subsistence lifestyle as virtually  
26 everybody on this island does that has been here any  
27 length of time.

28  
29  
30 So I ask two questions. Well, let me  
31 make this statement. The resources are not a problem.  
32 Our deer populations are not a problem. Our fish  
33 populations are not in stress. Our lifestyle is old. Is  
34 that my five minutes?

35  
36 MR. KRON: No.

37  
38 MR. BARKER: The lifestyle here is old.  
39 It's a lifestyle that if you haven't lived it, you really  
40 cannot understand it. And you've heard that before  
41 tonight, too. But you really can't.

42  
43 So the two questions I ask is if we move  
44 Kodiak from -- remove Kodiak from the rural status, who's  
45 going to benefit? The second question is, if you remove  
46 Kodiak from the rural status, who's going to lose? And  
47 I submit to you that everybody in this room will lose.

48  
49 Thank you.  
50



1 MR. KRON: Thank you, Bill.  
2  
3 The next speaker, Rick and then following  
4 Rick we've got Iver again, right?  
5  
6 MR. ELLINGSON: My name's Rick Ellingson.  
7 I'll take off my Aquaculture Association hat and I'm  
8 representing myself, and a lot more eloquent people than  
9 me got up here and spoke to most of the issues.  
10  
11 The only one I have to take umbrage with  
12 was I'm not sure Johnny goes shopping when he thinks it's  
13 cheaper in Kodiak than in Anchorage, but I'll have to get  
14 some tips from him. Other than that, everyone covered  
15 pretty much everything.  
16  
17 On the back of my sheet I answered your  
18 questions.  
19  
20 There's just one thing that I think got  
21 left out. There's a lot of distrust of and animosity for  
22 the Federal government. Not just in Kodiak, but Alaska  
23 in general. And a big part of that is because we sit  
24 here in front of boards and they don't give you eye  
25 contact. They're half asleep. And it feels like it's  
26 all in vain, you know. We say what we want for our  
27 community. You know, pretty much we're unanimous,  
28 whether it's IFQs, you know, whether it's rocket launch.  
29 And yet the Federal government continues to move ahead  
30 with what they planned anyways, and they let us get our,  
31 you know, five minutes to speak, and then they go ahead  
32 and move on what they want. And that's not a bad way to  
33 do it.  
34  
35 And I could speak for me personally, and  
36 I bet I could speak, for the majority of these folks in  
37 this room, as well as the majority of folks in Kodiak,  
38 you guys can do whatever you want, because that's what  
39 you're going to do. And so are we. We're going to  
40 continue to subsistence hunt and fish, because we need  
41 it. I raised four kids in this community. I could have  
42 never done it without that. And so if I, you know, lose  
43 my legal rights, I'm still going to get my fish. I'm  
44 still going to get my crab. I'm still going to get my  
45 deer. And you're going to make, you know, who was once  
46 a law abiding citizen into somebody that's not. And  
47 you're going to hate the Federal government even more.  
48 And, well, maybe my retirement will be sitting time in a  
49 jail, I'm not sure.  
50

1                   That was just the one point that I think  
2 got missed that I wanted to share about that. And so if  
3 our testimony goes anywhere and we don't lose our  
4 subsistence privileges, well, that would be good. You  
5 make a lot less criminals, and a lot less enemies.  
6  
7                   Thanks.  
8  
9                   MR. KRON: Thank you, Rick.  
10  
11                  Yeah, I guess we're hearing noise from  
12 the telephones, so again we'd remind people on the phone  
13 to please mute their phones.  
14  
15                  We've still got a card from Iver here,  
16 but I think he had a phone call, so let's go ahead and  
17 take any additional speakers from the phone. Any more  
18 speakers from the phone?  
19  
20                  Okay. We're going to go back to Iver,  
21 and then again if anyone on the phone would like to  
22 speak. And then we'd also ask if there's anybody else in  
23 the room that wants to speak, please fill out a green  
24 card and get it to me, because we're getting near the end  
25 here.  
26  
27                  So, Iver.  
28  
29                  MR. MALUTIN: Thank you. And again I  
30 want to take another opportunity to thank you giving an  
31 elder an opportunity say something that he forgot before.  
32 When you get to be 82, maybe you'll need two times.  
33  
34                  (Laughter)  
35  
36                  MR. MALUTIN: But anyway I just think  
37 that you guys are here to just get information. We don't  
38 want nobody to scold you. We do have friends. My mother  
39 said, you never, never get after anybody, or get angry  
40 with anybody if you're trying to get something from them.  
41  
42                  (Laughter)  
43  
44                  MR. MALUTIN: So I'm going to be really  
45 nice to you. We've got fish over there, and it is  
46 delicious. You guys should go have some.  
47  
48                  Okay. World War II, I heard somebody say  
49 something about World II. I was here and I was -- I was  
50 born in '31, so that would make me 10. And you hear

1 about the gas, and they're talking, Obama's talking about  
2 the people that were killed by the poisonous gas. Well,  
3 when I was in school, I had to take a gas mask to school  
4 every single day, because of the Japanese, and they were  
5 going to bomb -- they thought they were going to bomb us.  
6 And at that time they took away, according to the Sun'aq  
7 Tribe now, all our college graduates, they took 26,000 --  
8 not, 23,040 acres of land away from us, the Native  
9 people. That's what they took.

10

11 And they took Buskin River. And Buskin  
12 River was our prime source for fish at that time, and  
13 they literally took it away. And I was reminded when  
14 this one person was saying that the -- or maybe the  
15 lady, give us something back. Well, they never gave us  
16 nothing back. In fact, we're talking to the Coast Guard  
17 today to try to get the excess land that they don't need,  
18 to give it back to us, so we could give it to everybody  
19 to hunt and fish and whatever, and maybe some economic  
20 development. Maybe.

21

22 And at that time, and by your numbers  
23 that you're building here people, the census of 1940 said  
24 there were 420 Natives living in Kodiak. And all of a  
25 sudden your people also said that 10,000 army guys came  
26 in, and 2,000 construction workers. And if we only had  
27 420 with a handful of women, what did that do for the  
28 ratio of 12,000 guys to our little handful of people that  
29 we had. It totally ruined our village.

30

31 So I agree, they should give something  
32 back to us, but they never will. But that isn't even a  
33 part of it. they took so much away from us. All the  
34 water where the harbor is, and all out toward the base,  
35 it was all taken away from us, and that was our prime --  
36 we were getting birds and we were getting eggs on the  
37 islands. We were getting fish, we were getting  
38 everything, and they stopped us from doing that. So  
39 that's just some of the things that happened.

40

41 And I heard somebody say something about  
42 Kotzebue (ph). I was in the army in 1951.

43

44 Well, first of all, I was the president  
45 of the Afognak Native Corporation for seven, eight years.  
46 Just to show you how education works, today Afognak  
47 Native Corporation is the fifth largest business in the  
48 state. they have roughly 7,000 employees all over the  
49 United States, an office in every state, and also in 7  
50 foreign countries. And they only have three or four

1 college graduates on the board. And when I was the  
2 president we had one. Then we had a forester and a  
3 lawyer. But we used those guys with those college  
4 graduates to get us wherever we needed to go, because we  
5 had so much common sense we used them right. And we were  
6 good to them, and they were good to us. And today  
7 Afognak, there's probably more dividends to their  
8 stockholders than anybody else. All based on common  
9 sense.

10  
11 That's what I'm trying to tell you, to  
12 try to get my word common sense to you guys, so maybe Tim  
13 and his boys over at Anchorage will listen. Okay.

14  
15 And in 1959, that was when we became a  
16 state. We really became a state on June 30th, 1958, on  
17 my birthday, but it wasn't really official until 1959.  
18 And that's when that goofy word came in that you guys are  
19 using every single time you talk to us. Subsistence. It  
20 was never, never such a thing, subsistence, before,  
21 because we just went hunting and fishing wherever we  
22 want.

23  
24 And I heard another guy talking, we would  
25 subsist wherever we went. I was at Egegik and I went  
26 subsisting. I was at Hoonah, I was at Atka, I was at  
27 Kotzebue. We were subsistence fishing and hunting. No  
28 matter where we went. And now we've got to put on a map  
29 where we subsist, where we fish, where we hunt.

30  
31 And then when I was a kid, my dad would  
32 have a bucket, and he had it full of holes. The  
33 meeting's too dead here, so I've got to try to make  
34 people laugh at something.

35  
36 (Laughter)

37  
38 MR. MALUTIN: He would have a bucket, and  
39 he would give it to my older brother, and he'd go in a  
40 little waterfall, and Kevin Brennan likes this, because  
41 he would block up all the river, except one little  
42 outlet, and he would go up with a big stick, with his  
43 boots on, my brother would hold the bucket under the  
44 little waterfall, and as soon as the bucket was full,  
45 we'd go home, because then we had all the fish we needed.  
46 But they won't let me do that any more. And Kevin  
47 stopped me all the time.

48  
49 Now, I'm just saying that that's what we  
50 used to do. And the point I'm trying to make is we only

1 took what we needed. And the bucket that he had was all  
2 we needed.

3  
4 So we've got a really, really problem  
5 here. I'm not going to get into details, because you  
6 guys are all the college, people that are smarter than me  
7 that could talk to you guys are going to tell you all  
8 about that. But I'm going to give you the history so  
9 maybe you can think in a little different line.

10  
11 Okay. I was in the army, and 40 guys  
12 went AWOL up at Fairbanks from all over Alaska. And I  
13 was supposed to go, too, but I couldn't go, because I was  
14 getting promoted to a corporal, and I didn't want to lose  
15 that stripe. So anyway as time went on, they came back  
16 later. I wasn't there.

17  
18 But anyway, I was the president of the  
19 Afognak Native base and I went down to the University of  
20 Washington. We were working with the forester on  
21 developing timber. And he asked me if I knew anything  
22 about Natives. I said, well, I'm one and I know a  
23 little.

24  
25 (Laughter)

26  
27 MR. MALUTIN: We're studying the  
28 lifestyle of the Natives. Well, I said, you can't get  
29 nothing from me, because all I know is Kodiak. I don't  
30 know nothing about Alaska. And he was laughing. But  
31 anyway he said, the University of Alaska gave us a  
32 contract to study the lifestyle of the Natives. Forty  
33 guys went AWOL. And after I went back, all they did to  
34 those 40 guys was extend their time. If they were gone  
35 50 days, there were 50 days, they left their beds there,  
36 they left everything they had there. They didn't do  
37 anything to them, except give them their stripes back and  
38 let them go back to work. That's what they thought.

39  
40 And now today we don't want that to  
41 happen again. We don't want anybody to come and do the  
42 same thing that they did in World War II and to those  
43 people before. That's sad.

44  
45 Okay. What else do I -- I've got notes  
46 here again, and sometimes I use them.

47  
48 All right. I told you about the -- yeah,  
49 I told you. But, yeah, I ought to be done.

50

1 (Laughter)  
2  
3 MR. MALUTIN: Oh, yeah. You guys are  
4 here trying to make regulations whichever way they may  
5 be, good or bad, right or wrong, they're going to be  
6 made. And I talked to some people from Akhiok, and those  
7 poor people down there can't even get king crab. The  
8 elders can't even get king crab down there, because  
9 there's no provisions in the law that said they could go  
10 get king crab.  
11  
12 So all I'm trying to tell you is when you  
13 make your laws, use all the facts, don't leave anybody  
14 out.  
15  
16 And I think I'm going to get you guys  
17 laughing at this, because I'm done.  
18  
19 (Laughter)  
20  
21 MR. MALUTIN: That's it.  
22  
23 Thank you.  
24  
25 MR. KRON: Thank you, Iver. Any  
26 additional public testimony from the phone.  
27  
28 (No comments)  
29  
30 MR. KRON: Okay. I have now called all  
31 those people who indicated on the speaker cards that they  
32 desire to make oral comments. Is there anyone I may have  
33 inadvertently missed or omitted? I'll look around here,  
34 and again I ask on the phone if anybody wants to talk.  
35  
36 MS. KENNEDY: Yeah. I just have one  
37 final thing as a gift to you and everybody  
38 (indiscernible). It's something I read about Kodiak  
39 actually 21 years ago. And it goes like this.  
40  
41 We whine and complain about the wind and  
42 the rain. We gripe and moan because we're out here  
43 alone. We won't even mention the roads and conditions,  
44 and all that griping about (indiscernible). But you tell  
45 us we have (indiscernible). Sometimes it's raw, it's  
46 full of rot. But when we're away, we (indiscernible) the  
47 mountains.  
48  
49 Good night, and thanks for coming.  
50

1 MR. KRON: Thank you.  
2  
3 Any additional comments from the phone.  
4  
5 (No comments)  
6  
7 MR. KRON: Okay. There being no further  
8 comments, I will close this meeting. You may submit  
9 written comments after this meeting until November 1st,  
10 a little over a month. All of the addresses and  
11 instructions for submitting comments are included in the  
12 handouts that were given out here and also on the  
13 website.  
14  
15 Thank you very much for participating in  
16 this process tonight. The Federal Subsistence Board is  
17 looking forward to the comments on this issue from all  
18 the Regional Councils across the state, from the tribes,  
19 from the ANCSA corporations, and from the general public.  
20  
21 After all comments are received and  
22 evaluated, then the process moves into phase 2 where the  
23 Board may craft recommendations on rural determination  
24 criteria to forward to the Secretaries of Interior and  
25 Agriculture. If the Secretaries take those  
26 recommendations and consider making changes, then there  
27 will be another public comment period on those proposed  
28 changes to the rural determination process.  
29  
30 Thank you all for coming tonight.  
31  
32 And Carl stuck his hand up, so, Carl.  
33  
34 MR. JOHNSON: I'm going to go off script.  
35 One of the things that I do at the Office of Subsistence  
36 Management is to schedule all of the Regional Advisory  
37 Council meetings that we have in the winter and the fall.  
38 Normally this Council meets in King Cove or Cold Bay in  
39 the fall, but part of what we're also doing this fall is  
40 conducting this rural determination hearing process. And  
41 what we've been doing is scheduling these hearings at the  
42 same locations as the Council meetings. And it was  
43 determined that perhaps maybe, since we're doing this  
44 rural determination process hearing, that we should move  
45 that normal fall meeting from King Cove or Cold Bay to  
46 Kodiak to give the people of Kodiak more of an  
47 opportunity to provide direct testimony and comments.  
48  
49 So I really want to thank the people of  
50 Kodiak for showing up in force tonight and helping me to

1 realize that I made a good decision. And I just want you  
2 to know that all your effort coming here and sharing with  
3 us your thoughts and concerns is very important. And  
4 I've typed up an incredible array of notes of things that  
5 you've said covering all five of the different criteria.  
6 And I just can't thank you enough for sharing your  
7 feelings and your stories about your way of life here,  
8 and your specific comments on these five criteria.

9

10 So thank you.

11

12 (Off record)

13

14 (END OF PROCEEDINGS)



C E R T I F I C A T E

UNITED STATES OF AMERICA )  
 ) ss.  
STATE OF ALASKA )

I, Salena A. Hile, Notary Public, State of Alaska and reporter for Computer Matrix Court Reporters, LLC do hereby certify:

THAT the foregoing pages numbered 2 through 58 contain a full, true and correct Transcript of PUBLIC HEARING IN RE: FEDERAL SUBSISTENCE BOARD RURAL DETERMINATION PROCESS, taken electronically by Computer Matrix Court Reporters on the 24th day of September in Kodiak, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed under my direction to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 7th day  
of October 2013.

Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires: 9/16/14